REPORT

ON THE

ADMINISTRATION OF CRIMINAL AND CIVIL JUSTICE

IN THE

BOMBAY PRESIDENCY.

For the Year 1881.

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From

E. M. H. FULTON, ESQUIRE,
Registrar, High Court,
Bombay;

To

THE HONOURABLE C. GONNE,
Chief Secretary to Government,
Judicial Department.

Bombay, 21*st September* 1882.

HONOURABLE SIR,

I am directed to transmit to you the Report of the Administration of Criminal and Civil Justice in the Bombay Presidency for the year 1881 and also the Reports of the Judicial Commissioner in Sind and the Agent to His Excellency the Governor in the Panch Maháls. Tables I. to XIII. accompany the Report.

I have the honour to be,
Honourable Sir,
Your most obedient Servant,
E. M. H. FULTON,
Registrar.

REPORT ON THE ADMINISTRATION OF CRIMINAL JUSTICE IN THE PRESIDENCY OF BOMBAY FOR THE YEAR 1881.

Like the reports of the last two years, this report relates to the administration of Criminal Justice in all the Courts in the Bombay Presidency, except those of the Presidency Magistrates in the town of Bombay and those situated at Aden.

2. The area and population of the territories referred to are as follows :—

	Area.	Population.
Regulation Provinces of the Bombay Presidency exclusive of the Island of Bombay...	74,859	13,011,916
Sind	48,924	2,413,823
Panch Mahâls	1,613	255,479

3. The Criminal Courts in these Provinces were the following:

Regulation Provinces.

The High Court.
The Courts of 19 Sessions Judges, and Assistant Sessions Judges.
The Courts of 17 District Magistrates.
The Courts of 78 First Class Magistrates.
The Courts of 163 Second Class Magistrates.
The Courts of 206 Third Class Magistrates.
The Police Patels numbering about 20,727, who exercise a small criminal jurisdiction under Bombay Act VIII. of 1877.

In Sind.

The Sadar Court.
The Courts of 3 Sessions Judges.
The Courts of 5 District Magistrates, of whom 2 have been invested with special powers as Deputy Commissioners, under Section 36 of the Code of Criminal Procedure.
The Courts of 20 First Class Magistrates.
The Courts of 58 Second Class Magistrates.
The Courts of 51 Third Class Magistrates.

In the Panch Mahâls.

The Court of the Sessions Judge, who is also District Magistrate.
The Courts of 2 First Class Magistrates, of whom one has the jurisdiction of an Assistant Sessions Judge.
The Courts of 5 Second Class Magistrates.
The Courts of 3 Third Class Magistrates.
The Police Patels—their number is not stated.

4. The Judges and Magistrates mentioned above are all paid, except 28 Honorary Magistrates in the Regulation Provinces.

5. All the Judges in the High Court were Europeans, with the exception of one native gentleman who acted as Judge during part of the year. Of the Sessions Judges and Assistant Sessions Judges, 23 were Europeans and one was a native. All the District Magistrates were Europeans. Of the First Class Magistrates 61 were Europeans and 43 were natives. 4 of the Second Class Magistrates were Europeans and 222 were natives. Of the Third Class Magistrates 3 were Europeans and 257 were natives. All the Police Patels were natives.

6. The cost of the various Courts is shown to have been Rs. 10,57,319 and the receipts from fines, Court fees, &c., amounted to Rs. 3,05,843.

Offences reported.

7. The total number of offences reported during the year was 90,562, but of these only 67,984 were returned as true. In the tables sent in last year the distinction was not drawn between offences reported and cases returned as true, but as the practice was merely to show as reported the offences which, after enquiry, really appeared to have been committed, the 67,984 cases shown in this year's report to have been returned as true may be compared with the 72,275 offences reported in 1880, showing a decrease of 4,291.

8. Under the different classes of crimes, the increase and decrease is shown in the following table:—

Number	Class	1880	1881.	Increase	Decrease.
1	Offences against the State	...	...	...	...
2	Offences relating to the Army and Navy, Chapter VII	...	1	1	...
3	Offences against the public tranquillity, Chapter VIII	249	314	65	...
4	Offences by, or relating to, public servants, Chapter IX	235	93	...	142
5	Contempts of the lawful authority of public servants, Chapter X	1,893	801	...	249
6	False evidence and offences against public justice, Chapter XI		793		
7	Offences relating to coin and Government stamps, Chapter XII	111	104	...	7
8	Offences relating to weights and measures, Chapter XIII	151	177	26	...
9	Offences affecting public health, safety, convenience, decency and morals, Chapter XIV.	1,228	941	...	287
10	Offences relating to religion, Chapter XV ..	22	15	...	7
11	Do. affecting life	569	481	...	88
12	Causing of miscarriage, injuries to unborn children, exposure of infants, and the concealment of births	105	110	5	...
13	Hurt	14,734	14,762	28	...
14	Wrongful restraint and wrongful confinement	256	263	7	.
15	Criminal force and assault	3,053	2,993	...	60
16	Kidnapping, forcible abduction, slavery and forced labour	77	93	16	...
17	Rape	99	74	. .	25
18	Unnatural offence	22	19	...	3
19	Theft	12,901	11,936	...	965
20	Extortion	82	73	...	9
21	Robbery and dacoity	459	388	..	71
22	Criminal misappropriation of property ...	831	715	..	116
23	Criminal breach of trust	783	661	...	122
24	Receiving of stolen property	1,519	1,185	...	334
25	Cheating	323	348	25	...
26	Fraudulent deeds and disposition of property.	18	14	...	4
27	Mischief...	2,643	2,524	...	119
28	Criminal trespass	4,293	3,404	...	889
29	Offences relating to documents and to trade or property marks	87	68	...	19
30	Criminal breach of contracts of service ...	20	16	...	4
31	Offences relating to marriage...	528	559	31	...
32	Defamation	88	87	..	1
33	Criminal intimidation, insult and annoyance..	2,192	2,594	402	...
34	Offences under special and local laws ...	22,905	21,328	...	1,577

9. It is satisfactory to observe that no offences against the State were reported either during the year under review or during the previous year.

10. The fluctuations in the number of offences of different kinds reported during the year show nothing that requires any special remark. The classification of offences according to the new forms is not nearly so detailed as in the old forms, and does not distinguish many offences of most dissimilar characters, but in most cases joins together all falling under the same chapter of the Penal Code. As an example of this, it may be noted that murders and attempts at suicide are both included under the general head of offences affecting life, and the variety of offences included under the head of "offences against other laws" is very great. No doubt it was thought, as has been suggested by the District Magistrate of Sátára, that the detailed classification of offences more properly belonged to the Police Report and that it was unnecessary to require the same

information to be given a second time in the Judicial Administration Report. It will therefore be sufficient to call attention to the fact that the returns show that crime was less prevalent than during the year preceding. The offences affecting life decreased by 88, and the offences of theft, extortion, robbery and dacoity, criminal misappropriation, criminal breach of trust, and receiving stolen property, by which perhaps the criminality of the country can best be gauged, decreased respectively by 965, 9, 71, 116, 122 and 334.

11. The following table shows the number of offences returned as true in each District and the proportion which it bears to the population :—

	Population.	Offences.	Proportion to population of offences returned as true.
Ahmedabad	856,324	4,594	1 to 186
Kaira	804,800	3,509	1 to 229
Broach	326,930	1,155	1 to 283
Surat	614,198	2,629	1 to 233
Thána	908,548	6,591	1 to 138
Kolába	381,649	1,703	1 to 224
Khándesh	1,237,231	4,075	1 to 303
Násik	781,206	3,543	1 to 220
Ahmednagar	751,228	2,190	1 to 343
Poona	900,621	5,644	1 to 159
Sholápur	582,487	1,521	1 to 383
Sátára	1,062,350	2,392	1 to 444
Belgaum	864,014	3,529	1 to 245
Dhárwár	882,907	2,569	1 to 343
Kaládgi	638,493	1,368	1 to 467
Kánara	421,840	1,300	1 to 324
Ratnágiri	997,090	1,720	1 to 579
Panch Maháls	255,479	797	1 to 320
Karáchi	478,688	5,484	1 to 87
Hyderabad	754,624	4,583	1 to 165
Thar and Párkar	203,344	619	1 to 328
Shikárpur	852,986	5,884	1 to 145
Upper Sind Frontier	124,181	450	1 to 276

12. As in the year 1880 the proportion of offences to population was largest in the Karáchi District. This year the proportion was smallest in Ratnágiri, the second place being taken by Kaládgi—thus as regards these two districts reversing the order of the previous year.

13. Of the 67,984 offences reported as true, 62,705 were actually brought to trial.

14. The total of columns 5, 6, 7, 8 and 9 of Statement No. 2 have not been given, because it would be misleading to do so. The correct return of persons before the Court during the year is shown in Statement No. 4. Statement No. 2 appears to be intended to show the number of offences and the number of persons under trial in connection with each head of offence, but it is obvious that as the same persons frequently appear under more than one head, the total of column 5, if given, would not correctly represent the real number of persons before the Courts during the year and could not, without lengthy explanation, be made to correspond with the figures given in Statement No. 4.

15. As regards acquittals (or cases discharged) and convictions, it will be observed that the ratio varies considerably in respect of the various classes of offences. The following statement shows the percentage of acquittals and convictions, respectively, in each class of offence :—

Class.	Acquittals.	Convictions.	Ratio of Acquittals to Convictions.
Offences relating to the Army and Navy ...	2	.....	100:0
Offences against the public tranquillity	1,143	879	57:43
Offences by or relating to public servants ...	93	42	69:31
Contempts of the lawful authority of public servants	554	768	42:58
False evidence and offences against public justice	448	604	43:57
Offences relating to coins and Government stamps	51	67	43:57
Offences relating to weights and measures ...	64	152	30:70
Offences affecting the public health, safety, convenience, decency and morals	291	1,181	19:81
Offences relating to religion	15	4	79:21
Offences affecting life	445	413	52:48
Causing of miscarriage, injuries to unborn children, exposure of infants and the concealment of births	125	94	57:43
Hurt	21,463	9,033	70:30
Wrongful restraint and wrongful confinement ...	376	115	77:23
Criminal force and assault	4,414	1,162	79:21
Kidnapping, forcible abduction, slavery and forced labour	117	57	67:33
Rape	70	34	67:33
Unnatural offence	18	5	78:22
Theft	5,552	8,638	39:61
Extortion	98	33	75:25
Robbery and dacoity	599	483	55:45
Criminal misappropriation of property	518	477	52:48
Criminal breach of trust	435	235	65:35
Receiving of stolen property	989	1,009	49:51
Cheating	369	134	73:27
Fraudulent deeds and disposition of property ...	24	10	71:29
Mischief	4,080	1,221	77:23
Criminal trespass	2,949	1,835	62:38
Offences relating to documents and to trade or property marks	104	31	77:23
Criminal breach of contracts of service	19	9	68:32
Offences relating to marriage	899	154	85:15
Defamation...	111	46	71:29
Criminal intimidation, insult and annoyance ...	3,706	1,140	76:24
Offences under special and local laws	5,730	20,965	22:78

16. It will be noticed that the proportion of acquittals to convictions is large in cases of hurt, criminal force, cheating, mischief, criminal trespass, marriage offences, defamation, and criminal intimidation, and this is probably due to the fact that a large number of charges under these heads arise from quarrels which are compromised before the case comes on for trial. In offences affecting public health and offences falling under other laws, of which the greater number are nuisances under the Municipal and Police Acts, the percentage of convictions to acquittals is high.

17. Table No. 3 shows the number of miscellaneous cases which came before the Courts in their criminal jurisdiction, but which cannot properly be classified as offences. There were 1,473 such cases (of which the most numerous were maintenance cases, cases under Chapter XXXVIII. of the Criminal Procedure Code regarding security for good behaviour, and cases under Chapter XXVIII. relating to forfeiture of bail) before the Courts during the year under report, but they cannot well be compared with the number of similar cases reported last year, as the new classification includes several kinds of cases which did not appear in the old returns at all.

Persons brought to trial.

18. The actual number of persons under trial during the year was 108,323. Of these 76 died or escaped, 55,681 were acquitted or discharged, 50,950 were convicted, and 1,616 persons

remained under trial at the close of the year. The number of persons brought to trial in 1880 was 117,222, of whom 55,674 were acquitted or discharged, 58,997 were convicted, 1,084 died, escaped or were transferred to other Courts, and 1,467 remained under trial at the close of the year.

19. The percentage of the two years is as follows:—

	1880.	1881.
Died, escaped or transferred	·9	·07
Discharged or acquitted	47·5	51·40
Convicted	50·3	47·03
Remaining under trial	1·3	1·50

20. The High Court in its original jurisdiction disposed of 30 cases during the year involving 44 persons, of whom 19 were acquitted or discharged and 25 were convicted. The average duration of each case was ·855 of a day. In 1880 the Court tried 27 cases in which 43 persons were concerned.

21. As a Court of Reference 54 cases involving 85 persons came before it. The result of the proceedings ended in the acquittal of 3 persons and the conviction of 74; and 8 persons remained under trial at the end of the year; of these 54 cases, 49 were referred under section 287 of the Criminal Procedure Code for the confirmation of sentence of death and 5 came before it under section 263, being cases in which the Sessions Judges differed from the finding of the jury.

22. The Sadar Court in Sind, as a Court of Reference, disposed of 20 cases in which 23 persons were accused. Of these 2 were acquitted and 21 were convicted. All these cases were referred for confirmation of the sentence of death.

23. In the Courts of Session 1,841 persons were under trial against 2,298 in 1880. Of the former number 8 died or escaped, 718 were acquitted, 935 were convicted, 93 were referred to the High Court, and 87 remained under trial at the close of the year.

24. The Magistrates of the various classes dealt with persons under trial as shown in the following comparative table:—

	1880.	1881.
Persons under trial	115,038	106,560
Died, escaped or transferred	624	67
Acquitted or discharged	53,822	53,990
Convicted	55,221	47,676
Committed or referred	4,004	3,315
Remaining under trial	1,367	1,512

25. The Village Courts or Police Patels had before them 3,178 persons accused of petty thefts and other offences. Of these, one died, escaped, or was transferred to another Court, 949 were acquitted or discharged, 2,219 were convicted and 9 persons remained under trial at the end of the year. In 1880 they tried 3,392 persons, of whom they convicted 2,390 and acquitted or discharged 1,002.

26. The total number of witnesses examined during the year was 227,435 against 248,780 in 1880. The average duration of cases in all the Courts in the Presidency was 6·09 days. In the Courts of the Stipendiary Magistrates by whom the bulk of the criminal work is performed, the average duration of cases was 6·3 days.

Punishments.

27. The High Court on its Original Side passed one sentence of death, as against two in 1880, and as a Court of Reference confirmed 32 sentences compared with 47 in the previous year.

28. The Sadar Court in Sind confirmed death sentences in 14 cases as against 21 cases in 1880. The total number of sentences of death passed or confirmed by the High and Sadar Courts was, therefore, 47 compared with 70 in the preceding year.

29. *Transportation.*—174 persons were sentenced to transportation compared with 324 in 1880.

30. *Penal Servitude.*—No persons were sentenced to this punishment in either year.

31. *Imprisonment.*—14,348 persons were sentenced to imprisonment compared with 18,895 in 1880.

32. *Forfeiture of Property.*—One sentence of forfeiture of property was passed compared with five in the preceding year.

33. *Fine.*—38,378 persons were sentenced to pay fines and Rs. 269,759 were recovered. In 1880, 42,653 were sentenced to fine and Rs. 275,838 were realized. Rs. 16,557 were paid away as compensation to complainants in 1881 and Rs. 19,303 in 1880.

34. *Whipping.*—1,062 persons were sentenced to whipping compared with 1,501 in 1880. Of the 1,062 persons sentenced in 1881, 187 were ordered to receive not more than 10 stripes, 232 not more than 20 stripes, and 442 not more than 30 stripes, while 207 were sentenced to receive more than 30 stripes.

35. *Security to keep the peace or for good behaviour.*—637 persons were ordered to give security to keep the peace or for good behaviour. In 1880, security was required of 484 persons.

Appeals and Revision.

36. 321 appeals from convicts were before the High Court from the decisions of the Sessions Courts and the Presidency Magistrates. In one case the appellant died, and the appeal abated. In 88 cases the appeals were rejected without calling for the papers. In 74 cases the sentences were confirmed after calling for the papers: in 4 the sentences were enhanced: in 87 the sentences were modified: and in 29 they were reversed. 38 appeals were pending at the end of the year.

Appeals decided.	Number.	Percentage.
Abated, rejected or confirmed ..	163	57·6
Modified	91	32·2
Reversed	29	10·2

37. 12 appeals by Government against judgments of acquittals by Subordinate Courts were before the High Court during the year. 4 of these were rejected without calling for papers; in 2 cases the acquittals were confirmed after calling for papers; in 4 cases the acquittals were reversed and the accused were convicted: and in one case a new trial was ordered. One such appeal was pending at the end of the year.

38. The appeals instituted during the year against convictions by the Sessions Judges are shown in the following table:—

	Number of persons convicted by the Sessions Judges.	Appellants.
Ahmedabad	40	32
Kaira	55	
Broach	22	42
Surat	70	
Thána	65	25
Kolába	47	

	Number of persons convicted by the Sessions Judges.	Appellants.
Násik	50	10
Khándesh	27	18
Ahmednagar	6	6
Poona	57	14
Sholápur	13	7
Sátára	64	23
Belgaum	80	60
Kaládgi	24	12
Dhárwár	50	26
Ratnágiri	29	12
Kánara	26	14
Panch Maháls	35	3
Karáchi	32	148
Hyderabad	73	
Thar and Párkar	9	
Shikárpur	50	
Upper Sind Frontier	11	

39. 727 cases came before the High Court as a Court of Revision. In 157 cases applications for revision were made, in 292 the Court acted *suo motu*, and in 278 cases reference was made to the Court by the Sessions Judges or District Magistrates. In 394 cases the decision of the Lower Court was left unaltered: in 157 cases the sentences were enhanced or modified: in 106 cases the sentence was reversed: in 14 cases the proceedings were quashed: in 33 a new trial was ordered: and 23 cases remained pending at the end of the year.

40. Before the Sadar Court in Sind there were 148 appeals and 795 cases for revision against 156 and 815 in 1880. The disposal in 1881 of the appeals and cases reviewed was as follows:—

	Appeals.	Revision.
Died, escaped or transferred	.....	.....
Rejected	33	.....
Sentence or order confirmed	76	465
Sentence enhanced	3	67
Sentence reduced or otherwise altered ...	21	84
Sentence reversed	10	107
Proceedings quashed	.....	2
New trial or further enquiry ordered	.....	18

41. The Courts of Sessions had before them 1,141 appeals from the decisions of First Class Magistrates or Assistant Sessions Judges. They disposed of all except 18, which were pending at the end of the year. The following table shows the distribution of these appeals throughout the various districts and the method of disposal:—

	Died, escaped or transferred.	Appeals or applications rejected.	Sentence or order confirmed.	Sentence enhanced.	Sentence reduced or otherwise altered.	Sentence reversed.	Proceedings quashed.	New trial or further enquiry ordered.	Referred for revision to the High Court.	Total number of appeals disposed of.
Ahmedabad	...	14	27	2	10	34	...	...	...	87
Kaira	...	8	11	1	2	13	...	...	...	35
Broach	...	5	3	1	3	5	...	...	...	17
Surat	...	1	4	1	...	6	...	...	...	12

	Died, escaped or transferred.	Appeals or applications rejected.	Sentence or order confirmed.	Sentence enhanced.	Sentence reduced or otherwise altered.	Sentence reversed.	Proceedings quashed.	New trial or further enquiry ordered.	Referred for revision to the High Court.	Total number of appeals disposed of.
Thána	...	7	3	1	11	5	...	...	...	27
Kolába	...	2	2	...	1	7	...	...	...	12
Násik	...	4	4	...	...	4	...	...	.	12
Khándesh ...	...	7	31	...	2	5	...	3	...	48
Ahmednagar ...	...	3	19	...	2	7	...	4	...	35
Poona	...	17	21	...	1	4	1	...	...	44
Sholápur ...	...	2	14	...	...	1	...	...	...	17
Sátára	...	2	26	...	1	3	...	...	...	32
Belgaum ..	...	...	15	...	5	15	...	...	...	35
Kaládgi	...	...	...	...	...	...	...	...	...	..
Dhárwár ..	...	11	4	...	...	3	...	...	...	18
Ratnágiri ...	...	1	18	...	...	3	...	...	...	22
Kánara	...	12	16	2	2	6	...	...	...	38
Panch Maháls ..	...	...	4	...	6	2	...	...	...	12
Karáchi	9	72	75	2	15	19	...	...	...	192
Hyderabad ...	3	58	49	5	3	20	...	...	..	138
Thar and Párkar .	...	6	2	1	2	1	...	...	...	12
Shikárpur ...	...	134	56	2	25	11	2	...	...	230
Upper Sind Frontier.	...	28	12	...	2	6	...	...	...	48

42. The percentage of the various methods in which appeals were disposed of was as follows:—

	Number.	Percentage.
Died, escaped or transferred	12	1·07
Rejected or confirmed	810	72·13
Sentence enhanced or modified	111	9 88
Sentence reversed, proceedings quashed or new trial ordered	190	16·92

43. In 1880 sentence remained unaltered in about 73·5 of the appeals in the Courts of Session, it was modified in 9·8 : it was reversed in 13·4 : and the appeal was otherwise disposed of in 3·3 cases.

44. The Sessions Courts also reviewed the proceedings of Magistrates in 269 cases. In 13 cases the papers were referred to the High Court: in 8 cases in which a complaint had been dismissed on insufficient grounds or an accused person had been discharged improperly a further enquiry was ordered, or the accused was directed to be committed: in one case a Magistrate's order refusing bail was set aside: and in one an order of a Magistrate relating to the disposal of property was annulled.

45. There were appeals from 1,842 persons before the District Magistrates and other Magistrates with appellate powers. Of these 7 died or escaped: the appeals of 95 were rejected: in 910 cases the sentence was confirmed: in 61 cases the sentence was enhanced: in 203 it was modified: in 512 it was reversed: in 18 the proceedings were quashed: and in 5 a new trial was ordered. 31 appeals were pending at the end of the year.

46. The percentage of the various modes of disposal to the total number of appeals decided by the Magistrates was as follows:—

	Number.	Percentage.
Appellant died or escaped or appeal transferred.	7	·4
Appeal rejected or sentence confirmed ...	1,005	55·5
Sentence enhanced or modified...	264	14 6
Sentence reversed, proceedings quashed or a new trial ordered	535	29·5

47. In 1880 the percentage was as follows :—

Confirmed or rejected	53·5
Modified or enhanced	15·6
Reversed	25·6
Otherwise disposed of	5·3

48. The result of appeals, whether to the Sessions Court or to the Magistrates with appellate powers, does not show any very remarkable variation in the two years.

49. Sentence was enhanced in 86 cases on appeal or in about 2·6 per cent. of the total number of appeals disposed of.

50. Statement 13 shows the number of cases in which criminal trials were conducted with the aid of Juries or Assessors. On the Original Side of the High Court all cases coming before the Court in its Ordinary Criminal Jurisdiction are tried by Special or Common Juries constituted of 9 jurors. Altogether 27 cases were tried by Jury, in 26 of which the Judge approved and in one of which he disapproved of the verdict.

51. In the Mofussil the Courts of Session try all criminal cases (not falling under the special procedure provided for the trial of Europeans and Americans) with the aid of assessors, except at Poona, where Juries consisting of 5 Jurors are employed for the trial of the more serious offences. 682 cases were tried with Assessors, in 467 of which the Judge agreed with them and in 198 of which he differed from the finding of one or both of them. Last year 773 cases were tried with Assessors. In 577 the Judge agreed with their finding and in 172 he differed from one or both of them.

At Poona 48 cases were tried by Jury aganist 68 in 1880. In 42 cases the Judge approved of the verdict and in 6 he disapproved of it. In 1880 the corresponding figures were 63 and 5.

53. A general review of the proceedings of the year shows that whether the crime of the country is tested by the number of offences reported or by the number of persons brought to trial or by the number of persons convicted and sentenced, there is some improvement manifest compared with the previous year. It is satisfactory to observe that not only has the total number of offences declined, but that there has also been a decrease in the number of murders, dacoities, robberies, and other violent crimes which particularly indicate a spirit of lawlessness among the people. This improvement can only be attributed to general prosperity throughout the country.

E. M. H. FULTON,

20th September 1882. Registrar.

REPORT ON THE ADMINISTRATION OF CIVIL JUSTICE IN THE PRESIDENCY OF BOMBAY FOR THE YEAR 1881.

Since the submission of the Report for 1880, there has been no material variation in the number or constitution of the Civil Courts by which justice has been administered throughout the Bombay Presidency.

2. In the Regulation Provinces, the area of which covers 74,902 square miles with a population of 13,691,181, all the Courts are subordinate to the High Court. It exercises Original Civil Jurisdiction within the town and Island of Bombay in all matters not falling within the jurisdiction of the Court of Small Causes and it has jurisdiction as a Court of Appeal, Reference or Revision over all the Civil Courts in the Regulation Provinces, over the Courts at Aden, and over the Consular Courts at Muskat and Zanzibar. During the year 1881 it was presided over by a Chief Justice and six Judges as follows :—

Chief Justice.

Sir M. R. Westropp.

Puisne Judges.

Sir Charles Sargent.
Mr. Justice Bayley.
Mr. Justice Melvill.
Mr. Justice Kemball from 9th to 11th February 1881 and from 14th June 1881 to the end of the year.
Mr. Justice West.
Mr. Justice Pinhey from 29th March 1881 to the end of the year.

Officiating Judges.

Mr. Justice Nanabhai Haridas from 1st January to 8th February 1881 and from 12th February to 13th June 1881.
Mr. Justice Birdwood from 16th January to 29th March 1881.

3. Subordinate to the High Court are :—

(1.). The Presidency Small Cause Court presided over by a Chief Judge and three Judges. It has jurisdiction in suits not involving claims to immoveable property in which the debt, damage or demand does not exceed Rs. 1,000. The recent extension of the jurisdiction of the Small Cause Court will be noticed in next year's report.

(2.) The Courts of 11 District Judges and three Senior Assistant Judges who exercise in Civil matters the full powers of a District Judge. In each district the District Judge exercises a general superintendence over the Subordinate Courts and hears appeals from their decrees in suits not exceeding Rs. 5,000 in value. He has original jurisdiction to try suits specially transferred to him or which are in excess of the jurisdiction of the Subordinate Courts.

The Courts of the District Judges are situated at—

Ahmedabad,	Poona,
Surat,	Sátára,
Thána,	Belgaum,
Dhulia,	Dhárwár,
Ahmednagar,	Kárwár,

Ratnágiri,

and those of the Senior Assistant Judges were located during the year under report at Násik, Sholápur and Kaládgi. Since the commencement of the present year a fourth Senior Assistant Judge's Court has been established at Broach.

The District Judge of Poona is Agent for Sardárs in the Deccan under Regulation XXIX of 1827, and, as such, hears cases to which the Sardárs, exempt from the jurisdiction of the ordinary Courts, are parties.

(3.) The Courts of Small Causes are five in number and are situated at Ahmedabad, Nariád, Broach, Surat and Poona. There are, however, only three Judges, as one Judge presides over the Courts at Ahmedabad and Nariád, and one over the Courts at Broach and Surat. They have final jurisdiction within certain local areas in all suits up to Rs. 500 not relating to claims to immoveable property.

(4.) There are 11 Subordinate Judges of the First Class who have original jurisdiction in all suits, of whatever amount, triable within the District and not falling within the jurisdiction of the Subordinate Judges of the Second Class or the Courts of Small Causes, except suits to which Government or officers of Government, as such, are parties. The Courts of the First Class Subordinate Judges are located at the following places :—

Ahmedabad.	Sátára.
Surat.	Belgaum.
Dholia.	Dhárwár.
Násik.	Kárwár.
Ahmednagar.	Ratnágiri.

Poona.

During the whole of the year under report the First Class Subordinate Judges at Ahmednagar and Násik were empowered to hear appeals.

(5.) The number of the Second Class Subordinate Judges at the end of the year was 91. They have jurisdiction to try, within the local areas assigned to each, all suits (other than suits to which Government or officers of Government, as such, are parties) in which the value of the subject-matter in dispute does not exceed Rs. 5,000. Their Courts were situated at the towns mentioned in the following list:—

Ahmedabad.

Káira, Dholka, Umreth, Dhandhuka and Gogo, Borsad, Nariád, Kapadvanj and Viramgám.

Surat.

Broach, Jambusar, Vágra, Bulsár, Olpád, Ankleshvar and Surat.

Thána.

Thána, Kalyán, Panvel, Alíbág, Bassein and Dáhánu, Pen, Mahád, Bhiwandi, Murbád, Málegaon, Sinnar, Pimpalgaon, Yeola and Thengora.

Ratnágiri.

Málvan, Dápoli, Devgad, Chiplún, Rájápur, Sangmeshvar and Vengurla.

Khándesh.

Yával, Bhusával, Amalner, Shirpur, Nandurbár, Erandol, Jalgaon and Bhadgaon.

Poona.

Junnar, Khed, Talegaon, Sásvad, Vadgaon, Pátas and Indápur, Sholápur, Sángola and Málsiras, Bársi, Mádha and Karmála, and Pandharpur.

Ahmednagar.

Sangamner and Akola, Karjat and Kara, Nevása, Ráhuri and Párner, Kopargaon, Shrigonda and Shevgaon.

Sátára.

Wái and Medha, Karád and Pátan, Rahimátpur, Vita, Ashta, Tásgaon, and Khatáv and, Dahivádi.

Belgaum.

Chikodi, Saundatti, Athni, Bágalkot, Bijápur, and Muddebihál.

Dhárwár.

Gadag, Háveri, and Hubli.

Kánára.

Sirsi, Kumta, and Honavar.

At the following places Joint Subordinate Judges of the Second Class were stationed during the whole or part of the year under review to assist the Courts previously established :—

Ahmedabad.	Násik.
Broach.	Ahmednagar.
Nandurbár.	Poona.
Mahád.	Sátára.
Pimpálgaon.	Sangmeshvár.

At most places the appointment of a Joint Subordinate Judge is only a temporary measure to clear off arrears, but at Ahmedabad the appointment has, at the request of the District Judge, been permanently sanctioned.

(6.) As last year, there are still 5 Jaghírdárs or Inamdárs with the jurisdiction of Second Class Subordinate Judges, under Regulation XIII of 1830.

(7.) At the close of the year there were in the Collectorates of Poona, Sholápur, Sátára, and Ahmednagar 136 Village Munsifs appointed under Act XVII of 1879 (Dekkhan Agriculturists' Relief Act) to dispose of petty suits up to Rs. 10 in value.

(8.) The number of Conciliators appointed under the same Act amounted at the close of the year to 313. Their functions were fully described in last year's report—and, briefly stated, may be said to consist in endeavouring to bring disputants to agree either to an amicable settlement or to reference of their quarrel to arbitration. No suit to which an agriculturist is a party, who resides within any local area for which a Conciliator has been appointed, may be entertained without a certificate that conciliation has been tried.

(9.) The Cantonment Magistrates have, under Act III of 1859, a jurisdiction within their cantonments in suits up to Rs. 200.

(10.) The Mámlatdárs of the various tálukas have, under Bombay Act III of 1876, jurisdiction to entertain suits in cases where the possession of immoveable property is in dispute. They do not go into questions of title and their decrees are not liable to appeal, but the party to whom their decision is unfavourable on the question of possession, is entitled to bring a suit on his title in one of the ordinary Civil Courts.

4. The area of the Province of Sind is about 48,924 square miles. The population in 1881 numbered 2,413,823 The Sadar Court, presided over by a Judge who is also Judicial Commissioner, is the Chief Court of Appeal, and performs the functions of a High Court on its Appellate Side. During the year under report there were three District Judges whose Courts were situated at Karáchi, Hyderabad and Shikárpur—and in Thar and Párkar the Deputy Commissioner had the powers of a District Judge. In the Districts of Karáchi, Hyderabad and Shikárpur there were 12 Subordinate Judges with jurisdiction up to Rs. 5,000, and in Thar and Párkar the Mukhtyárkars performed the functions of Subordinate Judges. All the Mukhtyárkars in Sind possess the powers conferred on Mámlatdárs by Bombay Act III of 1876.

5. The area of the Panch Maháls is about 1,613 square miles. The population amounts to 255,479. Civil suits are disposed of by two Munsifs located at Godhra and Dohad whose jurisdiction is not limited as to value. From their decisions an appeal lies to the Court of the Agent to the Governor presided over by the Agent or his Assistant or Deputy. The second appeal lies to Government.

6. In the report sent in last year, a detailed account was given of the constitution of the various Courts and of the system regulating the appointment of the presiding Judges. It has not, therefore, been thought necessary to repeat on this occasion all the information previously given, and the foregoing short summary of the titles and functions of the Courts by which Civil Justice is administered will probably be found sufficient.

7. The total receipts of the Civil Courts in the Bombay Presidency are shown as Rs. 18,70,586, and the cost is said to be Rs. 22,32,393. As regards the expenditure on Civil Justice, it is somewhat arbitrarily divided from the expenditure under the heads of Criminal Justice and Land Revenue. By degrees no doubt the distribution of expenditure will become accurate, but this being the first year in which the system has been fully introduced, it would be unsafe to assume that it may not be found hereafter that the estimate of the cost of the administration of Civil Justice requires considerable modification. As regards the receipts, efforts have been made to compare them with the actual receipts in the Treasuries from the sale of Court fee stamps. These, according to a statement kindly furnished by the Accountant General, amounted during the

year to Rs. 22,50,236. It is not of course to be expected that the actual sale proceeds of stamps will correspond altogether with the receipts of the Courts, because a portion (though a very small portion) of the Court fee stamps are used in Criminal Courts and because of course a considerable number of the stamps purchased are not used during the year in which they are bought. Still as the portion of the Court fee stamps used in Criminal Courts is very small and the stamps remaining unused in one year must doubtless appear in the next year's accounts, the comparison of the receipts in the Civil Courts with the receipts in the Treasuries is a useful test, and it will, after the average of a few years has been taken, become sufficiently accurate for practical purposes.

8. The receipts and expenditure of the various Courts were shown to be as follows:—

	1881	
	Receipts	Expenditure.
	Rs.	Rs.
High Court, Original Side	2,33,455	3,52,316
High Court, Appellate Side	44,539	1,97,647
Sadar Court in Sind	2,459	20,890
Mofussil Small Cause Courts	1,12,826	85,630
Subordinate Judges' Courts	13,46,414	10,70,722
Unpaid Tribunals	.....	.....
Mámlatdárs' Courts	14,782	47,670
District Courts including Assistant Judges' Courts...	1,12,866	4,52,176
Cantonment Magistrates	3,245	5,342
Total ...	18,70,586	22,32,393

9. The total number of suits instituted during the year 1881 was 150,810 compared with 148,928 instituted in 1880. Of these 1,037 were filed in the High Court in regard to which it will be desirable to carry on the table showing the number of suits instituted in each year since 1875:—

Institution of suits.

	1875.	1876.	1877.	1878.	1879	1880.	1881.
Original Jurisdiction	731	737	820	688	730	595	541
Admiralty	2	1	5	...	2	...	..
Testamentary	9	14	11	7	6	15	5
Matrimonial (Pársi)	5	4	1	4	4	4	2
Insolvency...	633	622	475	565	606	601	489
Total ...	1,380	1,378	1,312	1,264	1,348	1,215	1,037

10. During the last two years the amount of litigation on the Original Side of the High Court appears to have somewhat declined, but for this no special reason has been assigned and probably the apparent falling off is nothing but a normal fluctuation. It will be interesting to note hereafter what is the effect of the new Presidency Small Cause Court Act by which the jurisdiction of the Small Cause Court has been increased from Rs. 1,000 to Rs. 2,000, but as it only came into force on the 1st July of this year, it does not affect the figures shown in this report.

11. The total value of the suits instituted in the Original Jurisdiction of the Court was Rs. 29,94,029.

12. One suit was instituted under Act IV of 1869 in the Court of the Judicial Commissioner in Sind in its Matrimonial Jurisdiction.

13. The returns from the Presidency Small Cause Court go direct to Government.

14. In the District Courts 206 suits were instituted during the year under report compared with 259 in 1880, 282 in 1879, and 239 in 1878.

15. In the Subordinate Courts (including the Courts of Inámdárs and Jághírdárs) the following table shows the number of suits instituted in the various Collectorates during the last four years :—

	1878.	1879.	1880.	1881.
Ahmedabad ... ... } Kaira	12,550	15,092	15,242	16,003
Surat	2,939	3,686	3,680	3,896
Broach	3,515	4,450	5,253	5,514
Thána	5,752	6,122	5,674	6,945
Kolába	3,394	3,445	3,193	3,214
Násik	9,967	10,477	9,088	9,565
Ratnágiri	6,451	6,712	6,806	6,401
Khándesh	18,156	19,696	17,348	18,831
Ahmednagar	7,782	7,379	3,629	4,590
Poona	7,007	6,263	4,263	5,185
Sholápur...	5,178	4,259	2,466	2,963
Sátára	7,844	7,798	2,895	4,609
Belgaum	3,898	3,659	3,636	} 5,527
Kaládgi	2,713	2,774	2,472	
Dhárwár	4,266	3,899	3,648	3,307
Kánara	2,266	2,535	2,251	2,055
Panch Maháls	867	1,490	1,437	1,651
Karáchi	2,204	3,906	3,647	3,250
Hyderabad	7,061	9,691	10,467	8,889
Shikárpur and Upper Sind Frontier	6,107	9,522	10,168	8,292
Thar and Párkar	157	231	503	424
Total ...	120,074	133,086	117,766	121,111

16. It will be observed that in the Regulation Provinces there has been a small increase compared with the figures of 1880, in the number of suits instituted in the Subordinate Courts in all the Collectorates except Ratnágiri, Belgaum and Kaládgi, Dhárwár and Kánara. As regards the increase in the number of suits instituted in Ahmedabad and Kaira, the District Judge attributes it to the provision introduced into the law in 1877, which prohibits the granting of applications for execution after the expiration of 12 years from the date of the decrees sought to be enforced owing to which the decree-holders with the object of securing themselves against any loss, induce their judgment-debtors to pass new bonds for the sums due on the decrees and then resort to the Courts to obtain fresh ones. The increase in the districts of Surat, Broach, Thána, Kolába and Khándesh does not seem to call for any special remarks.

17. In the four Collectorates of the Dekkhan—Poona, Sholápur, Ahmednagar and Sátára—which are subject to the Dekkhan Agriculturists' Relief Act, the number of suits instituted has increased considerably since the previous year. The decrease compared with the average of the ten years previous to 1880 is due, in the opinion of Dr. Pollen, to the fact that a large number of quarrels are intercepted by the Conciliators before they reach the Courts and that the period of limitation has been greatly enlarged. The subject is fully discussed in the 4th and 38th paragraphs of the Special Judge's printed report. If the quarrels disposed of by the Conciliators and the suits disposed of by the Subordinate Courts be added together, it will probably be found that there has been no very serious decrease in litigation compared with that of any previous year subsequent to the famine. The number of suits instituted was so enormously reduced by this calamity that it is doubtful whether it is even yet fair to take the average of ten years preceding 1880, including six years previous to the famine, as the standard of comparison; but doubtless this standard has been adopted by Dr.

Pollen as the most unfavorable to the theory which he seeks to establish and as, therefore, least liable to occasion adverse criticism as to the fairness of his test.

18. In the Southern Marátha Country litigation seems to have slightly decreased. Mr. Watt says he is not aware of any reason for the decrease in Dhárwár, and in Belgaum and Kaládgi the District Judge attributes it to the improved condition of the ryots which enables them to meet just dues without obliging creditors to seek the help of the Civil Courts. A somewhat contrary reason is assigned by the Judge of Kánara to account for the decrease of suits instituted in that district. He writes as follows:—

"3. This decline in litigation in this district is due to a variety of causes; the chief of which, so far as I can ascertain them, are—(I), the impoverished condition of the people in general and the agricultural classes in particular, arising from recent famine and scarcity, the effects of which have not as yet entirely disappeared; (II), the imposition of comparatively higher rates of assessment on landed property by the introduction and operation of the Survey Settlement in this district, and (III) the depressed state of trade in general."

19. In regard to the slight decrease of suits in Ratnágiri compared with the previous year the District Judge says that the difference is not large and requires no explanation.

20. In reference to Sind, where there has been some decrease in litigation, the explanation is given by the Judicial Commissioner in the following paragraphs:—

"54. The following table shows the number of suits instituted in 1880 and 1881 in the several Courts in the Province:—

Courts.	Karáchi.		Hyderabad.		Shikárpur including Upper Sind Frontier.		Thar and Párkar.		Total.	
	1880.	1881.	1880.	1881.	1880.	1881.	1880.	1881.	1880.	1881.
Judicial Commissioner's Court acting under Act IV of 1869	...	1	...	...	...	...	...	...	...	1
District Courts	76	71	4	5	8	11	1	...	89	87
Subordinate Civil Courts.	3,647	3,250	10,467	8,889	10,168	8,292	...	...	24,282	20,431
Assistant Political Superintendent and Mukhtyarkars Thar and Párkar	...	...	...	...	...	...	512	424	512	424
Small Cause Court, Karáchi	2,251	1,916	...	...	...	...	...	...	2,251	1,916
Total ...	5,974	5,238	10,471	8,894	10,176	8,303	513	424	27,134	22,859

"55. The decrease in the number of suits in the Shikárpur District was due, according to Mr. Batty, to 'the cessation of that exceptional stimulus which in 1879-80 had been given to trade and speculation by the construction of the Railway and the contracts connected with the Afghan War.' In the Karáchi District, the decrease was mainly observable in the Subordinate Courts of Kotri and Sehwan. The reasons given by the Subordinate Judge of Sehwan are that a great deal of sickness prevailed in his Division and that a smaller number of suits was filed under section 525 of the Code of Civil Procedure. The Subordinate Judge of Kôtri attributes the falling off in the number of suits in his Court 'to the abolition of the Indus Steam Flotilla Workshops at Kotri and the consequent reduction in their establishments.'

"In the District of Hyderabad there was a slight increase in the number of suits in the Subordinate Court of Hala, but not large enough to call for any special remark. In the Subordinate Courts of Naushahro and Tando, there were slight decreases, while there was a considerable decrease in the Subordinate Court of Hyderabad, 1,732 suits having been filed

in 1880, while only 1,153 were instituted in 1881, a difference of 580 suits. The Subordinate Judge ascribes the falling off of litigation rather vaguely to the injury done to trade by the opening of the Indus Valley State Railway between Kotri and Sukkur."

21. In the Panch Máhals there seems to have been a considerable increase in the institution of suits during the last four years. The increase in the year under report is attributed by the Agent to a good harvest and general improvement in the condition of the people.

22. It will thus be seen that if we take into account one district with another there has been no very striking increase or decrease in the litigation of the Presidency. There has been a slight increase in Gujarát and Khándesh and a more considerable one in the Deccan; and there has been a decrease in Sind, the Southern Marátha Country and Kánara; while in the Konkan the decrease in Ratnágiri is more than counterbalanced by the increase in Thána and Kolába. Except as regards the increase in the Deccan, which is in all probability of a permanent nature, the fluctuations elsewhere appear to be only of an ordinary kind which may be attributed to local and accidental reasons rather than to general causes.

23. In the Mofussil Small Cause Courts the number of suits instituted in 1881 compared with those instituted in 1879 and 1880, is shown in the following table:—

	1879.	1880.	1881.
Ahmedabad	3,993	4,350	4,195
Nariád	1,068	1,033	993
Broach	1,478	1,456	1,438
Surat	3,592	3,782	2,979
Poona	5,422	4,127	4,372
Karáchi	2,748	2,251	1,916
Total ...	18,301*	16,999	15,893

24. The Judge of the Small Cause Courts of Ahmedabad and Nariád points out that the decrease of suits instituted in that Court is more than accounted for by the fact that in the beginning of 1881 he was invested with insolvency powers under Chapter XX. of the Code of Civil Procedure and that 283 creditors made claims during the progress of insolvency proceedings, which claims would, in previous years, in all probability, have resulted in regular suits. The fluctuations at Broach, Surat and Poona are so small as to call for no remark; and as regards Karáchi, where there appears to be a decline in the number of suits instituted in the Small Cause Court, the Judge seems to attribute the fact to changes in the law which he considers has of late years become unfavourable to creditors.

25. In the Cantonment Magistrates' Courts at Belgaum and Poona 889 suits were filed against 1,043 in 1880, and in the Mámlatdárs' Courts 7,426 suits, under Bombay Act III. of 1876, were instituted compared with 8,389 in 1880.

26. In the Courts of Village Munsifs in the Deccan 2,757 suits were instituted during the past year compared with 3,257 in 1880. Dr. Pollen says the decrease is partly accounted for by the fact that the appointment of the Village Munsif at Sátára, who received many suits, was cancelled during the year. The Munsifs of Ahmednagar and Bhingár between them received no less than 1,083 suits during the year.

27. The following table, taken from the 34th paragraph of Dr. Pollen's report, shows the work of the Conciliators as compared with what they did in 1880:—

District.	Number of Applications for disposal.			Number of Applications disposed of.									Special Particulars.		
	Arrears on 1st January 1881.	New applications received during the year.	Total for disposal.	Withdrawn by applicant or compromised.	Struck off by Conciliator for default.	Disposed of by agreement forwarded to Court under Section 44.	Referred to arbitration and agreement forwarded to Court under Section 45.	Conciliation failed. By refusal or neglect of opposite party to attend.	Conciliation failed. By non-agreement of parties.	Conciliation failed. Total of two previous columns.	Total disposed of.	Balance remaining for disposal.	How many Certificates under Section 46 granted during the year.	Fees realised during the year.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
														Rs. a. p.
Poona	5,223	15,291	20,514	2,039	4,908	2,351	8	6,569	2,818	9,387	18,693	1,821	8,357	2,983 4 0
Sátára	8,654	19,112	27,766	1,585	7,123	2,185	148	10,739	3,717	14,456	25,497	2,269	12,965	4,313 11 0
Ahmednagar	4,454	14,202	18,656	1,231	4,982	2,219	13	5,852	2,669	8,521	16,966	1,690	8,277	2,873 4 0
Sholápur	1,196	8,872	10,068	714	1,603	1,547	6	2,683	1,822	4,505	8,375	1,693	4,468	1,645 1 0
Total for 1881..	19,527	57,477	77,004	5,569	18,616	8,302	275	25,843	11,026	36,869	69,531	7,473	34,067	11,825 4 0
Total for 1880..	..	48,588	48,588	3,252	3,277	6,771	172	9,370	6,435	15,805	29,277	..	13,452	5,801 2 0

28. If we consider that litigation has been intercepted in the cases in which the quarrel has been compromised, settled by the Conciliators, or referred to arbitration, we may take it that the total of columns 5, 7 and 8, or the figure 14,146, represents the number of suits which this system has prevented from being filed in the ordinary Courts.

29. The classification of suits is given in Table VII. The following table, of which the form is borrowed from the 56th paragraph of the report of the Judicial Commissioner in Sind, shows the various classes of suits compared with those of a similar kind instituted in 1880 :—

	Class of Suits.	1880.	1881.	Increase.	Decrease.
	Suits for Money.				
1	On contract in writing	84,684	84,690	6	...
2	On contract not in writing	6,855	5,551	...	1,304
3	On account stated	18,988	19,655	667	...
4	For money had and received ...	1,809	1,803	...	6
5	For goods sold	7,126	6,031	...	95
6	For wages, work and materials ...	766	413	292	...
7	For breaches of contract not mentioned above		645		
8	Rent of houses and property other than land	4,472	1,924	...	2,548
9	Moveable property or the value thereof	1,837	1,053	...	784
10	Damages	513	568	55	...
	Title and other Suits.				
11	Arrears of rent of land with or without ejectment or cancelment of title.	54	3,269	3,215	...
12	Enhancement or abatement of rent..	...	8	8	...
13	Relating to distraint...	8	7	...	1
14	Damages for extortion or withholding receipts or on account of illegal restraint or other cause	...	35	35	...
15	For Pottahs or Kabuláyats	130	461	331	...
16	For recovery of possession or removal of obstruction under Bombay Act III. of 1876	8,389	7,426	...	963
17	Suits for immoveable property ...	7,091	7,968	877	...
18	Suits for declaratory decrees ...	83	231	280	...
19	Other suits under the Specific Relief Act		132		

	Class of Suits	1880.	1881.	Increase	Decrease.
	Title and other Suits—continued.				
20	Suits to declare and establish rights to real property including pre-emption, foreclosure, &c.	1,103	1,706	603	...
21	Suits to declare and establish personal rights...	177	92	...	85
22	Suits for an account...	302	1,032	730	...
23	Suits relating to religious endowments	18	10	...	8
24	Suits to set aside judgments, contracts or obligations on the ground of fraud	27	29	2	...
25	Suits for dissolution of marriage ...	7	8	1	...
26	Suits for enforcement of matrimonial rights	132	131	...	1
27	Suits for partition	173	284	111	...
28	Suits relating to shipping	3	3	...	...
29	Suits relating to religion and caste...	5	2	...	3
30	Administration suits...	...	7	7	...
31	Inter-pleader suits	...	...	...	...
32	Dissolution of partnership	...	32	32	.
33	Suits under Section 261, Act X. of 1865 (also Hindu Wills' Act) ..	...	4	4	
34	Other suits not falling under any of the previous heads..	...	315	315	...

30. The variations between the two years do not seem to require any special remarks, except that owing to the difference of headings between the new forms and the old it is not possible properly to compare the classification of many kinds of suits. For instance, the apparent difference between the two years as regards the number of suits for rent of houses and rent of land is due rather to the change in the system of classification than to any actual difference in the nature of the claims.

31. The suits instituted on the Original Side of the High Court are classified as follows :—

Class of Suits.	1881.
Suits for Money or Moveable Property.	
Contract in writing	93
Contract not in writing	5
On account stated	88
Money had and received	49
Goods sold	26
Wages, work and materials	15
Rent not falling under the Rent Law	4
Moveable property or value thereof	38
Damages	14
Title and other Suits.	
Suits for immoveable property...	19
Suits for declaratory decrees	5
Other suits under the Specific Relief Act	14
Suits to declare and establish rights to real property including pre-emption, foreclosure, &c.	36
Suits to declare and establish personal rights	11
Suits for an account	31
Suits to set aside judgments, contracts or obligations on the ground of fraud ...	3
Suits for dissolution of marriage	7
Suits for enforcement of matrimonial rights	2

Class of Suits.	1881.
Title and other Suits—continued.	
Suits for partition	7
Suits relating to religion and caste	1
Administration suits	23
Inter-pleader suits	1
Dissolution of partnership	11
Suits under Section 261, Act X. of 1865 (also Hindu Wills' Act)... ...	5
Other suits not falling under any of the previous heads...	33

This classification does not include the proceedings in the Testamentary jurisdiction or in the Pársi Matrimonial or Insolvency Courts.

32. The total valuation of the suits instituted in the Mofussil in 1881 was Rs. 1,30,77,749 compared with Rs. 1,49,10,975 in 1880. The valuation of the suits instituted on the Original Side of the High Court was Rs. 29,94,029. No return of the value of suits in the High Court was prepared in 1880.

Disposal of suits.

33. The number of suits disposed of by the various Courts of original jurisdiction throughout the Presidency is shown in the following comparative table :—

	1880.	1881.
High Court	1,271	1,060
District and Assistant Judges	377	275
Subordinate Judges	122,420	118,620
Cantonment Magistrates	1,059	866
Jághírdárs and Inámdárs	138	630
Mofussil Small Cause Courts	16,617	16,409
Village Munsifs	2,866	2,934
Mámlatdárs under Bombay Act III of 1876	8,381	7,271
Revenue Courts		225

34. Of these 15,292 were disposed of without trial and 26,133 were compromised. Of the remainder 95,191 resulted wholly or partially in favor of the plaintiff and in 8,740 cases the claim was dismissed or the decision was in favor of the defendant: while in regard to 2,934 suits decided by the Village Munsifs the result is not given. The balance of suits pending at the end of the year was 30,458.

35. In the High Court the results of the suits were as follows :—

		Number.
Disposed of without trial		239
Compromised		57
Decreed on confession		25
Decreed *ex-parte*		424
Dismissed *ex-parte*		184
On reference to arbitration ...	For plaintiff	7
	For defendant	1
With contest	For plaintiff	79
	For defendant	44
Pending at the end of the year		1,263

36. There was one suit before the Court of the Judicial Commissioner in Sind under Act IV. of 1869 (Christian Marriage Act). It remained pending at the end of the year.

37. The number of cases decreed *ex-parte* in the Subordinate Courts and the Mofussil Small Cause Courts, compared with the number in 1880, is as follows :—

	1880.	1881.	Decrease.
Small Cause Courts	6,474	6,245	229
Subordinate Courts	47,471	45,944	1,527

38. It is remarkable how nearly the figures for the two years correspond. The percentage of cases decreed *ex-parte*, having regard to the total number of cases disposed of, was as follows :—

	1880.	1881.
Small Cause Courts	·38	·38
Subordinate Courts	·38	·36

39. The average duration of suits is shown in the following table :—

	Contested.	Uncontested
Courts of Inámdárs and Jághirdárs	400·7	118·1
Subordinate Judges' Courts ... ... } Mámlatdárs' Courts... ... ... }	161·5	75·4
Small Cause Courts...	72·7	42·6
District Courts	265·7	200·5
Revenue Courts	2·6	3 1
High Court	261·9	265·3

40. Care has been taken this year to prepare the table of average duration on a right principle, and it is hoped that it is correct. It is not likely that the disposal of uncontested cases can be much accelerated except perhaps in the Inámdárs' Courts where there might probably be more expedition ; and as regards the contested cases efforts are being made to prevent their being unnecessarily delayed. In many cases, however, adjournments cannot be avoided and some delay is essential in the interests of justice.

41. In addition to the regular suits mentioned above the Courts during the course of the year disposed of 16,539 miscellaneous applications. These were not shown in the reports of previous years.

Appeals.

42. The following table shows the number of appeals from decrees instituted and disposed of in the various Appellate Courts throughout the Presidency :—

	1880.			1881.		
	Instituted.	Disposed of.	Pending	Instituted.	Disposed of.	Pending.
High Court.						
Original Side	22	22	8	12	13	7
Appellate Side.. { First appeals ... }	724	556	376	{ 126	75	120
Appellate Side.. { Second appeals.. }				706	532	452
Sadar Court in Sind. { First appeals ... }	9	15	2	16	{ 8	1
Sadar Court in Sind. { Second appeals.. }					7	4

	1880.			1881.		
	Instituted.	Disposed of.	Pending	Instituted	Disposed of.	Pending.
District Courts.						
Ahmedabad	174	241	93	213	212	179
Kaira	132	195	85			
Surat	121	59	269	88	183	174
Broach	149	78	259	78	158	179
Khándesh	219	208	140	195	121	214
Thána	193	118	372	421	341	791
Kolába	148	106	339			
Násik	166	97	443	205	318	330
Ahmednagar	163	180	214	104	225	93
Poona	170	170	23	150	150	23
Sholápur	68	22	79	79	66	92
Sátára	241	236	164	224	254	134
Belgaum	174	139	107	219	226	134
Kaládgi	32	50	84			
Dhárwár	118	159	40	115	127	28
Ratnágiri	438	749	357	543	507	393
Kánara	169	153	162	164	256	70
Karáchi	34	33	3	8	8	3
Hyderabad	58	47	24	70	73	21
Shikárpur	143	31	132	136	103	165
Thar and Párkar	4	3	2	3	4	1
Panch Mahále	39	5	74	33	39	68

43. Government has lately appointed an extra First Class Subordinate Judge with appellate powers to assist in clearing off the arrears of appeals at Thána.

44 The following table shows the percentage of appeals in which the decree of the Court below was confirmed or left unaltered or was modified of reversed, or the case was remanded :—

	Total number of Appeals disposed of	Percentage of Decrees confirmed or left unaltered	Percentage of Decrees reversed or modified or suit remanded.
High Court.			
Original Side	13	85	15
Appellate Side ... First appeals	75	72	28
Appellate Side ... Second appeals	532	83	17
Sadar Court in Sind. First appeals	6	50	50
Sadar Court in Sind. Second appeals	7	85	15
District Courts.			
Ahmedabad	212	65	35
Kaira			
Surat	183	73	27
Broach	158	78	22
Khándesh	121	59	41
Thána	172	66	34
Kolába	169	64	36
Násik	318	73	27
Ahmednagar	225	70	30
Poona	150	71	29
Sholápur	66	70	30
Sátára	254	72	28
Belgaum	226	58	42
Kaládgi			
Dhárwár	127	64	36
Ratnágiri	507	67	33
Kánara	256	64	36
Karáchi	8	87	23
Hyderabad	73	52	48
Shikárpur	103	75	25
Thar and Párkar	4	75	25
Panch Mahále	39	51	49

45. The persistency with which second appeals are presented to the High Court against decisions involving no debateable point of law, but based simply on findings on fact, is remarkable. This no doubt accounts in some measure for the very small percentage of cases in which the decision of the lower Court is modified or reversed by the High Court. The amount of money that must be thrown away quite hopelessly on second appeals against decisions involving questions of fact shows partly that the law on the subject is very imperfectly understood on the part of the pleaders in the Mofussil who advise or sanction these appeals, and partly that there is often on the part of the defeated litigant a reckless spirit of gambling which makes him rush into an appeal although he must know that the result is very unlikely to be favorable.

46. The percentage of decrees reversed or modified by the District Courts, compared with the total number of appeals disposed of, varies considerably in the different districts. It is highest in the Panch Mahâls and lowest at Broach.

47. Part II. of Statement X. shows the miscellaneous appeals or appeals from orders filed and disposed of in the various Appellate Courts. The information given in this statement was not previously furnished in the reports of preceding years. The figures appear to call for no special remarks.

Execution of decrees.

48. There were pending before the Courts 257,373 applications for execution against 269,132 in 1880.

49. In 26,590 cases the applications were fully satisfied; in 44,514 they were partially satisfied; in 130,281 they were wholly infructuous. and in 54,523 they were pending at the end of the year. In 1880 the applications for execution were wholly successful in 29,543 cases and partially so in 50,410. The number of applications which were wholly infructuous was not given in the old returns. The number of applications pending at the end of the year was 50,666. No doubt in many cases where the application for execution is shown as infructuous, the decree was settled out of Court

50. During the year under report 1,738 persons were imprisoned in execution and 4,410 were arrested without being imprisoned. In 1880 the report shows that 3,633 persons were imprisoned, but this probably includes those who were simply arrested. In regard to this subject the new forms are more precise than the old.

51. Moveable property was sold in 3,020 cases and attached without being sold in 5,247. Immoveable property was sold in 6,555 instances; was retained under management by the Collector under the provisions of Section 322 of the Civil Procedure Code in 796, and was attached but subsequently released in 4,633.

52 Possession of moveable property was given in 49 cases and of immoveable in 2,592. Specific performance was enforced in 33 instances and partition was effected in 115.

53. The sum of Rs. 21,93,884 was realized in execution with the issue of process and Rs. 3,04,887 was realized without issue of process.

54. At the end of the year 17,504 applications were pending more than three months.

55. In the Insolvency Branch of the High Court 545 proceedings were disposed of. They are not shown in Statement 12 which relates only to applications and proceedings under Chapter XX. of the Civil Procedure Code and is therefore inapplicable to the proceedings in the Insolvency Court under 11 and 12 Victoria, Chapter XXI.

56. Of the 465 applications before the Mofussil Courts 61 were withdrawn, 103 were granted, 170 were rejected and 131 were pending at the end of the year. Criminal proceedings were instituted in 5 cases. Claims against insolvents' estates to the value of Rs. 24,190 were dealt with during the year, of which only Rs. 989 were satisfied.

57. It is evident that the Insolvency provisions of the Civil Procedure Code and the Dekkhan Ryots' Act are not popular; and this fact is attributed

by many Subordinate Judges partly to scruples of honesty and partly to the fear entertained by the debtors of losing all credit in the future if they once become insolvents.

58. In three cases heard under the Land Acquisition Act X. of 1870, the Judge was assisted by assessors, in two of which he agreed with them and in one he differed from one of the assessors. Five cases were tried with the aid of delegates in the Pársi Matrimonial Courts.

General Remarks.

59. The District Judge of Ahmedabad writes about the Court Fees' Act as follows:—

"I am of opinion that its working is most unequal. Simple contract debts which occupy very little of the time of the Courts in comparison to the amount at stake, pay a full and very heavy fee which the poorest classes of the community have eventually to pay, whereas suits for winding up partnership, suits arising out of the execution of decrees and suits, so common in this district, for easements and alleged encroachments, which are hotly contested and occupy the time of the Courts for much longer periods and to which parties are generally well-to-do, pay a mere nominal fee of Rs. 10 and less, in some cases 6 or 12 annas. The provisions of the Court Fees' Act, section 7, para. 4, allowing the Court-fee in such cases to be paid on the amount at which the relief sought is valued in the plaint or memorandum of appeal, enables the litigants to bring these suits at a cost wholly inadequate when they are compared either with the value of the property really at stake or the time they occupy in Court. As an instance the case of Manohar Ganesh and others, which is a suit involving the management of several lákhs of rupees per annum, was brought on a plaint stamped with only ten rupees, *i.e.*, the fee which would be payable on a simple bond for Rs. 130 and which would probably be decided, even if contested, in an hour."

60. The District Judge of Poona, Mr. Newnham, writes:—

"The only unsatisfactory part of the work of a District Court is that of dealing with applications to wind up partnership concerns, under section 265 of Act IX. of 1872. These have for the last three years formed a feature in this district which deserves remark.

"Persons (owing mostly to a mistaken idea of the Subordinate Judges that they had no jurisdiction where a partnership existed) have frequently applied under this section instead of bringing an ordinary suit when their object was merely to recover what might be due to them. The above-quoted section is singularly bold and general in its terms and comes at the end of the Act not supplemented by any rules of procedure, or any explanation save that which reserves this work for the District Judge who is, as a rule, not at all likely to be especially qualified to deal with this particular class of disputes. The usual course of such matters is that the parties do not seem to know exactly what they want, each of them declaring that the other has the accounts, and the pleaders not being properly instructed can give the Court no assistance. The consequent waste of time may be imagined. I have not found as yet any rulings of the High Court which throw any light on the above section, and as the Legislature has not thought fit to give any explanation, it appears to me urgently necessary that their Lordships the Chief Justice and Judges should, when occasion arises on an appeal, afford some guidance to the District Courts as to the manner in which the section should be worked. The following points, for instance, require clearing up—

"(1.) How is the Court to recover outstanding claims of the firm?

"(2.) What is it to do if no accounts are forthcoming?

"(3.) Can it make a decree that partner A shall pay partner B any sum?

"(4.) Is the District Court bound in every case to accede to the application, and if not, under what circumstances would it be justified in referring the applicant to an ordinary suit?

"If such questions as these be settled by a ruling of the Superior Court, the effectual settlement of such matters by the District Courts would be much facilitated, although I must observe that it appears that the Legislature when enacting that section can have had very little idea of what its practical consequences would be."

61. The Senior Assistant Judge of Násik calls attention to the general complaint that the execution of decrees transferred to Collectors is very slow and that decree-holders are in consequence often forced to consent to a settlement rather than submit to further delay. The Senior Assistant Judge is not prepared to say that these complaints are wholly well grounded, but still there is some dilatoriness which he thinks it right to bring to the notice of the High Court. The subject is at present under enquiry.

62. He also calls attention to the Rules made by the High Court under Section 287 of the Civil Procedure Code and published on page 168 of the Circulars. He writes :—

"These rules require that before ordering the sale of every property attached, whether moveable or immoveable and of whatever value, certain enquiries therein prescribed should be made with a view to ascertaining the encumbrances to which the property is liable. These enquiries, no doubt, are productive of good results in cases of valuable property, especially immoveable, but fail to attain the object in cases of property of insignificant value, as in such case rarely any claim is preferred to the attached property and consequently the cost of the proceedings lays a needless burden upon the decree-holder. The enquiries in such cases also necessarily increase the clerical work of the Court to a great extent. I would recommend that these enquiries be dispensed with in cases referring to moveable property and of immoveable property of less than rupees 25 in value except when the Court ordering the sale may for any special reason deem them to be necessary."

The opinions of the District Judges will be taken on this recommendation.

63. The District Judge of Thána again calls attention to the defective nature of Act XX. of 1864, relating to minors. The High Court has on several occasions recommended the amendment of this Act, and it is hoped that it may ere long be taken in hand by the Legislative Department.

64. The District Judge of Sátára says that a large number of suits are now filed for the redemption of land from mortgagees, and draws attention to the fact that the mortgagor never keeps any account of the debt and the mortgagee keeps only a very rough account. The Courts in taking the account have therefore very little to go upon. The Judge recommends that money-lenders should be obliged under a penalty to enter on the back of the bond all sums paid in liquidation of the debt. He is satisfied that this would prevent much dishonesty on the part of the lenders and much loss among the borrowers.

65. The District Judge of Belgaum considers that the period of 20 days allowed under Article 161, Schedule II. of Act XV. of 1877, to judgment-debtors to record payments made out of Court ought to be extended. Debtors who make payments out of Court are seldom acquainted with the law and do not know the risk that they incur.

66. Mr. Wedderburn when District Judge of Ahmednagar drew up a set of rules (which are appended to this report) to regulate the appointment of the clerks and kárkúns of the various Courts with a view to increasing the efficiency of the establishments. The subject is interesting and has attracted the attention of Mr. Watt, the District Judge of Dhárwár, who writes as follows :—

"With a view to try and improve matters I have resolved to make all first appointments after competitive examination, and I think too it will be beneficial to introduce some system of easy departmental examination on the provisions of the Code of Civil Procedure and the High Court Circulars. If the Mámlatdárs' kárkúns have to pass an examination as to their ordinary duties it seems to me at least as necessary that the Subordinate Judges' kárkúns should do so too."

The question of introducing departmental examinations will be considered by the High Court, and the opinion of the District Judges on the matter has been asked for.

67. The District Judge of Khándesh reports that of the three Arbitration Courts at Dharangaon, Párola and Sávda, the first appears to have worked badly, the second well. No details of the working of the Sávda Court have been given. The Subordinate Judge of Erandol reported that there were serious defects in transacting business in the Dharangaon Court and that fewer awards than before had been lately presented to him to be filed. The Subordinate Judge of Amalner states that in 1881 no less than 608 cases were disposed of by the Pancháyat at Párola, 694 cases having been referred to it for arbitration. The District Judge says that the rules of the Pancháyat of Parola seem sensible and fair and that he has no doubt that the Pancháyat will prove a valuable adjunct to the Subordinate Court and save much time and expense.

68. The District Judge of Kánara discussing the question of imprisonment for debt says he is constrained to admit the necessity of maintaining this institution both in the interests of creditors and as an instrument to compel unwilling

and dishonest debtors to pay their lawful debts. He gives figures which show that a large proportion of judgment-debts in Kánara are paid after the arrest of the debtor but before his actual imprisonment.

69. The District Judge of Surat calls attention to the careless way in which the service books of the establishments have been kept and proposes to get them all carefully written up during the vacation. The subject is one that should be attended to by all Judges and Subordinate Judges, as if the service books are incorrectly kept the enquiries regarding applications for pension are greatly protracted.

70. Due attention has been paid in all the districts to the custody of the records and to the destruction of useless records.

71. Few of the District Judges seem to have found time for the inspection of Subordinate Courts, but the Judges of Thána, Dhárwár, and Ahmednagar visited a certain number. Judicial conferences were held at Thána and Ahmednagar.

72. The reports of the Judicial Commissioner in Sind and of the Agent to the Governor in the Panch Maháls are appended. The report of the Special Judge under the Dekkhan Ryots' Act was sent direct to Government on the 4th February last.

20th September 1882.

E. M. H. FULTON,
Registrar.

No. 1411 OF 1882.

From

H. BIRDWOOD, ESQUIRE,
Judicial Commissioner in Sind,

To

E. M. H. FULTON, ESQUIRE,
Registrar, Her Majesty's High Court, Appellate Side, Bombay.

Judicial Commissioner's Office,
Karáchi, 21*st July* 1882.

SIR,

I have the honour to forward the accompanying Reports and Statistical Returns from the Judges and Sessions Judges, the Judge of the Court of Small Causes and the District Magistrates in Sind for the year 1881, together with 14 statements incorporating these Returns and the Returns for the Sadar Court, which I also forward.

2. The Reports and Returns from these officers were received in the following order, and on the following dates :—

(1)	From the Judge and Sessions Judge of Hyderabad on	2nd March.
(2)	From the Judge of the Court of Small Causes at Karáchi	13th March.
(3)	From the Judge and Sessions Judge of Karáchi ...	14th March.
(4)	From the District Magistrate of Karáchi	27th March.
(5)	From the Judge and Sessions Judge of Shikárpur...	3rd April.
(6)	From the Deputy Commissioner and District Magistrate of Thar and Párkar	20th April.
(7)	From the District Magistrate of Shikárpur ...	6th May.
(8)	From the Deputy Commissioner and District Magistrate of the Upper Sind Frontier	25th May.
(9)	From the District Magistrate of Hyderabad ...	26th May.

3. It was necessary in the case of the three District Judges, to call for amended Returns, as the information regarding ordinary and miscellaneous suits and appeals required for Parts I and II, respectively, of Statements Nos. IX and X was not shown separately but was embodied in a single part under each statement. The statements regarding the Mámlatdárs' Courts in the Jerruck Division were submitted by the Collector and District Magistrate of Karáchi direct to the Sadar Court, while similar statements from other Divisions had been previously sent by him to the District Judge, who had shown the requisite particulars in his Returns. It was necessary, therefore, that these Returns should be corrected. The Collector of Hyderabad omitted to make any entries in Statement No. 14, Part III, respecting Mámlatdárs' Courts, although it appeared from his Statements Nos. 7 and 8 that 58 suits had been filed under Bombay Act III of 1876 and that, therefore, some process fees must have been realized. The Returns of the Deputy Commissioner of Thar and Párkar contained numerous arithmetical and other errors and some of the columns, notably columns 16 and 17 of Statement No. IX, Part II, and column 13 of Statement No. VI were incorrectly filled in. To correct these errors, it was thought the best plan to send for the clerk who had prepared these Returns, and with the aid of the materials brought by him, they were accordingly corrected. But in the case of other Districts, some of the mistakes and omissions were such as could not be corrected or supplied without further reference to the local officers, and such references have been made whenever they were necessary. Wherever it was possible to check the Returns from the records of this office, or to correct them from figures supplied by other statements, this has been done. I have initialed all the amendments so made. The information required by para. 5 of the High Court's Circular No. 1700 of the 2nd December 1881, was not embodied in the Reports of the District Magistrates. This circular was received in this office in January last, when the late Acting Judicial Commissioner was on tour and does not appear to have been communicated to the District Magistrates at the time. The requisite information has now been furnished separately by the District Magistrates and is appended to their Reports. No footnote was added by the Judges and Magistrates to Statement No. 1, showing separately the number of European and Native Judicial Officers, in accordance with the High Court's Circular No. 722 of the 29th April 1881. As, however, this information could be furnished from the records of this Court, I have added the requisite footnote to the general statement No. 1 compiled in my office.

4. I submit the following remarks on the Returns. It is not possible always to compare the figures in most of the statements with the corresponding figures for the preceding year, as the forms of Returns prescribed for the year 1881 are now used for the first time. But all necessary comparisons have been made whenever possible.

CRIMINAL JUSTICE.

Statement No. 1.

Part I.

5. No change was made in the 3 Sessions Divisions. The Superintendents Thar and Párkar and the Upper Sind Frontier were appointed Deputy Commissioners during the year and were invested with powers under section 36 of Act X of 1872, by Government Notification No. 6569 of the 5th October 1881. (*Bombay Government Gazette* of the 6th October 1881, p. 600). No change was made in the other three District Magistracies and 13 Divisional Magistracies

6. The total area of the three Sessions Divisions is 46,824·76 square miles. The total population within this area is 2,393,296. As the total number of convicted offenders during the year, throughout the Province, was 11,637, the percentage of proved criminals to the total population was ·48. There was one criminal to every 4·23 square miles of the area.

Part II.

7. The total number of working days in all the Criminal Courts, including those which exercise civil as well as criminal jurisdiction, was 14,943, of which 14,500 were spent on criminal work, *i.e.* about 97 per cent. of the total number of days.

Part III.

8. The total income derived from all the Criminal Courts in the Province during the year was as follows—

	Rs.	a	p.
From the Sessions Courts	2,326	0	0
From the Magistrates' Courts	83,657	0	0
From the Sadar Court	260	0	0
Total ...	86,243	0	0

The total expenditure on account of these Courts was as follows :—

Sessions Courts	47,956	0	0
Magistrates' Courts	1,90,248	0	0
Sadar Court	20,890	0	0
Total ...	2,59,094	0	0

The net cost of Criminal administration was, therefore, Rs. 1,72,851.

Statement No. II.

9. The total number of offences reported during the year was 22,403. The number of offences returned as true was 17,224. The last number only can be rightly compared with the number of offences reported in 1880, viz. 14,472; as in the returns for that year, offences of which information was given, complaint made or cognizance taken under Chapters VIII, IX, X and XI of the Code of Criminal Procedure for the first time during the year, were not shown unless returned as true. There appears, therefore, to have been an increase of 2,752 offences in the year under review. The number of offences against special and local laws increased, however, from 1,791 to 3,714, *i. e.*, by 1,923 during the year. There was an increase, therefore, of offences against the Indian Penal Code of 829.

10. I subjoin an abstract statement showing the increase and decrease in the 4 great classes of offences reported as true in the several Sessions Divisions :

Class of Offences.	Kara'chi				Hyderabad				Shikarpur.				Total.			
	1880	1881	Increase	Decrease.	1880.	1881	Increase	Decrease.	1880	1881	Increase	Decrease	1880	1881	Increase	Decrease
I —Against the person	1,223	1,038	..	185	1,837	1,087		250	1,675	2,043	368		4,235	4,168		67
II —Against property	1,361	1,997	636		2,348	2,720	372		1 982	2,682	700	.	5,691	7,399	1,708	..
III —Other offences under the Indian Penal Code .	1,204	598	.	606	686	726	40		865	619		246	2,755	1,943	..	812
IV —Offences against Special and Local Laws	610	1,905	1,295		569	748	179		612	1,061	449		1,791	3,714	1,923	
Total .	4,398	5,538	1,931	791	4,940	5,281	591	250	5,134	6,405	1,517	246	14,472	17,224	3,631	879
Net Increase	.	.	1,140				341				1,271				2,752	

11. It is to be noticed that there was a decrease in offences under Classes I and III in the Karáchi Sessions Division, under Class I in the Hyderabad Sessions Division and under Class III in the Shikárpur Sessions Division, and that there was an increase in Classes II and IV in the Karáchi Sessions Division, in Classes II, III and IV in the Hyderabad Sessions Division, and in Classes I, II, and IV in the Shikárpur Sessions Division.

12. There was an increase, therefore, of offences against property and against local and special laws in all the three Sessions Divisions, and the increase in the Karáchi Division under the last class was very considerable. The increase of offences against property in the Karáchi and Shikárpur Divisions was also great. There was a considerable decrease under Class III in the Karáchi Division.

Offences affecting the Human Body.

13. The total number of these offences returned as true was 4,168, for which 7,330 persons were brought to trial, of whom 138 remained under trial, at

the close of the year, and 6 died or escaped, 4,551 were acquitted or discharged, and 2,635 convicted. Thus 35·94 per cent. of the persons tried for these offences were convicted.

Offences affecting Life.

14. Of offences affecting the human body, only 99 affected life, for which 168 persons were brought to trial, of whom 7 remained under trial at the end of the year, and 1 died or escaped. The number of persons actually tried was, therefore, 160; and of these, 90 were acquitted and 70 were convicted.

Murder.

15. In the Karáchi District, the number of murders reported was 7, of which 2 were from motives connected with women, and 3 were of children for the sake of their ornaments. There were no murders from other causes for the sake of gain, and there were 4 murders for other than the above three causes. There were 15 cases of murder reported in the Hyderabad District, of which 11 were committed from motives connected with women, and 4 from other causes. In the Shikárpur District, 18 cases of murder were reported, of which 12 were from motives connected with women; 1 was of a child for the sake of his ornaments. There were no other murders for the sake of gain. There were 5 for other than the above causes. In the District of the Upper Sind Frontier, there were no murders for the sake of ornaments or gain. There were 4 from motives connected with women and 8 from other motives. In the District of Thar and Párkar, there was one case of murder reported, and the motive was connected with a woman.

Hurt.

16. The total number of these offences was 2,705 against 1,893 in 1880. There was an increase, therefore, of 42·89 per cent. There were 4,689 persons for trial for these offences against 4,071 in 1880. There were 111 persons remaining under trial at the end of the year against 83 at the end of 1880; 4 died or escaped against 6 in 1880; 2,441 were acquitted and discharged against 2,114 in 1880, and 2,133 were convicted against 1,868 in 1880. Thus 46·63 per cent. of the persons tried were convicted.

Rape.

17. There were 12 cases of rape against 6 in 1880, involving 18 persons against 7 in 1880, of whom 1 remained under trial at the end of the year, 11 were acquitted against 1 in 1880, and 6 convicted against the same number in 1880. Thus the percentage of convictions to persons tried was 35·29.

Unnatural Offences.

18. There were 13 offences returned as true, against 8 in 1880; and 14 persons were brought to trial against 10 in 1880, of whom 10 were acquitted against 3 in 1880, and 4 convicted against 6 in 1880. The percentage of convictions to persons tried was, therefore, 28·57.

Offences against Property.

19. The total number of these offences, returned as true, was 7,399, for which 7,699 persons were brought to trial, of whom 221 remained under trial at the end of the year; 12 died or escaped, 3,500 were acquitted and 3,966 were convicted. Thus 51·51 per cent. of the persons tried were convicted.

Robbery and Dacoity.

20. The total number of these offences, returned as true, was 69 against 4 in 1880. These 69 cases involved 144 persons against 15 in 1880, of whom 5 remained under trial at the end of the year, 60 were acquitted and 79 were convicted; the percentage of convictions to persons tried being 54·86.

Theft.

21. The total number of these offences was 5,065 against 3,400 in 1880. There was thus an increase of 1,665 such cases, or 48·97 per cent. during the year under report. For these offences, 4,647 persons were brought to trial,

against 4,894 on 1880, of whom 122 remained under trial at the end of the year against 150 in 1880; 8 died or escaped against 14 in 1880; 1,685 were acquitted against 1,592 in 1880, and 2,832 were convicted against 3,138 in 1880: the percentage of convictions to persons tried being 60·94.

Offences against Special and Local Laws.

22. There were 3,714 offences against these laws returned as true, while there were only 1,791 such cases in 1880. There was thus an increase of 107·37 per cent. in the year under report. The returns from the local officers do not furnish an explanation of this large increase. It may, perhaps, be partly due to a stringent enforcement of the Inland Customs Act VIII. of 1875.

23. The total number of persons brought to trial for these offences was 4,777, of whom 28 remained under trial at the end of the year; 3 died or escaped, 1,013 were acquitted or discharged and 3,733 were convicted; the percentage of convictions to persons tried being 78·65.

General Remarks.

24. If the number of persons actually convicted of the several offences be accepted as an indication of the relative prevalence of these offences, then their classification according to their relative prevalence would be as follows.—

(1) Offences against special and local laws.
(2) Theft.
(3) Hurt.
(4) Criminal intimidation, insult and annoyance.
(5) Criminal trespass.
(6) Criminal force and assault.
(7) Receiving stolen property.
(8) Offences affecting the public health, safety, decency and morals.
(9) Offences against the public tranquillity.
(10) False evidence and offences against public justice.
(11) Mischief.
(12) Contempts of the lawful authority of public servants.
(13) Criminal misappropriation of property.
(14) Offences relating to marriage.
(15) Robbery and dacoity.
(16) Offences affecting life.
(17) Criminal breach of trust.
(18) Cheating.
(19) Offences relating to weights and measures.
(20) Extortion.
(21) Wrongful restraint and wrongful confinement.
(22) Kidnapping, forcible abduction, slavery and forced labour.
(23) Rape.
(24) (*a*) Unnatural offences.
(*b*) Fraudulent deeds and disposition of property.
(*c*) Offences by or relating to public servants.
(*d*) Offences relating to documents, trade and property marks.
(25) Defamation.
(26) (*a*) Causing of miscarriage.
(*b*) Offences relating to coin and Government stamps.
(*c*) Criminal breach of contracts of service.

25. It may be noted that no offences under Chapters VI. and VII. of the Indian Penal Code were reported throughout the Province during the whole year; that there was only one offence relating to religion (Chapter XV.) reported in the Shikárpur District (of which the person accused was acquitted); that no offence under Chapter IX. or Chapter XIX. was reported in the Districts of Hyderabad, Thar and Párkar and Upper Sind Frontier; that in Thar and Párkar as well as in the Upper Sind Frontier, no cases of fraudulent deeds or disposal of property or of any offence under Chapter XXI. Indian Penal Code were reported; that in the

Upper Sind Frontier there were no offences under Chapter XVIII, while in Thar and Párkar there was only one such case, and that in the latter district the following offences were not reported:—Miscarriage, &c; extortion; cheating; offences relating to weights and measures; offences affecting the public health, &c.

26. The District Magistrate of Hyderabad notices the large decrease in his districts, as compared with the preceding year, in offences against property, and ascribes it "to the fact that the period of pressure and high prices has passed away". The Sessions Judge of Karáchi notices the marked falling off in the number of thefts in the Karáchi District, and attributes it "to the extensive employment offered to the labouring class of Sindhis on the railway and other places on the frontier."

27. The Sessions Judge, Shikárpur, writes of the strength of clan feeling subsisting in Upper Sind, which "renders a conviction so difficult and so certain to be avenged," and suggests as a remedy that Magistrates be empowered "to call upon the leading man to show cause why he should not furnish security against the recurrence of outrages." Mr. Batty writes further, "the most prevalent offence in Upper Sind is notoriously 'cattle-lifting'," and he ascribes it to the clan system. Out of 255 criminal appeals before him, 150 were cases of cattle-lifting. At the same time, he notices a marked decrease in the offences of robbery and dacoity, and observes that the crimes "which show a greater refinement of dishonesty, such as cheating, forgery, criminal misappropriation, breach of trust, are, considering the vast extent of the district, most exceptionally rare." He remarks also the increase of offences relating to marriage and the great number of thefts arising in connection with the Railway, and considers the state of the Police in his district to be exceptionally bad.

28. The Deputy Commissioner of the Upper Sind Frontier notices a marked increase in the number of offences against property and also "an increase in the number of murders in consequence of an old feud between the Bhugteos and Mazarees having broken out afresh during the year."

29. The other Magistrates and Judges have not noticed any increase or decrease of any particular offences within their jurisdiction.

Statement No. III.

30. The total number of miscellaneous proceedings held under the Criminal Procedure Code, throughout the Province, during the year was 638. The total number of persons concerned in them was 749, of whom 5 remained under trial at the end of the year, 277 were discharged and 467 were convicted or bound over; the percentage of convictions to persons tried being thus 62·76.

31. If these miscellaneous proceedings were classified according to the frequency of holding them they would stand in the following order:—

(1) Proceedings for taking security for good behaviour (Chapter XXXVIII, Criminal Procedure Code).
(2) Proceedings for maintenance (Chapter XLI).
(3) To prevent breach of the peace (Chapter XXXVII).
(4) In respect of frivolous or vexatious complaints (Section 209).
(5) Forfeiture of bail, &c. (Chapter XXVIII).
(6) Proceedings against witnesses (Chapter XXVI).
(7) Proceedings against local nuisances (Chapter XXXIX).
(8) Proceedings regarding possession of lands, &c. (Chapter XL).
(9) Contempts (Chapter XXXII).
(10) Proceedings for non-attendance of jurors and assessors (Chapter XXIX, Section 414).

32. If such cases were arranged according to the number of persons convicted or bound over, under the several classes above indicated, the order would be nearly the same. Proceedings for maintenance would stand 5th on the list, while the classes coming 3rd, 4th and 5th would be respectively 2nd, 3rd and 4th in the list.

Statement No. IV.

General Result of Criminal Trials.

Columns 2—8.

33. The total number of persons under trial was 23,705. Of these, 475 remained under trial at the end of the year; 29 died or escaped; 11,564 were acquitted or discharged, and 11,637 were convicted.

Column 10.

Average duration of Trials.

34. The average number of days during which each case lasted in the several classes of Criminal Courts in the five Magisterial Districts and in the Sadar Court, is shown in the following statement:—

Courts	Average number of days during which each case lasted.
I.—Karáchi District.	
Subordinate Stipendiary Magistrates	57·47
District and Divisional Magistrates' cases referred under Section 46, Criminal Procedure Code	15·83
Chief Magistrate of District	*Nil.*
Court of Session	13
II.—Hyderabad District.	
Subordinate Stipendiary Magistrates	3·95
District and Divisional Magistrates' cases referred under Section 46, Criminal Procedure Code	1·14
Chief Magistrate of District	*Nil.*
Court of Session,.. ... Hyderabad cases	28
Court of Session,.. ... Thar and Párkar cases	47
III.—Shikárpur District.	
Subordinate Stipendiary Magistrates	1·3
District and Divisional Magistrates' cases referred under Section 46, Criminal Procedure Code	·6
Chief Magistrate of District	1·5
Court of Session ... Shikárpur cases	31·1
Court of Session ... Upper Sind Frontier cases	39·32
IV.—Upper Sind Frontier District.	
Subordinate Stipendiary Magistrates	1
District and Divisional Magistrates' cases referred under Section 46, Criminal Procedure Code	1
Chief Magistrate of District	1·29
Court of Session (see above under Shikárpur).	
V.—Thar and Párkar District.	
Subordinate and Stipendiary Magistrates	12·12
District and Divisional Magistrates' cases referred under Section 46, Criminal Procedure Code	4·62
Chief Magistrate of District	15
Court of Session (see above under Hyderabad).	
VI.—Sadar Court of Sind.	
Sadar Court of Sind, confirmation cases	24·7

Columns 9 and 10.

Number of Witnesses examined.

35. The number of witnesses examined by the several Courts in the Province was 55,525 against 62,608 in 1880, showing a decrease of 7,083. The number of cases disposed of during the year was 13,770. The average number of witnesses examined in each case was therefore 4.

Sessions Trials.

36. The result of the trials held in 1881, before the Courts of Session, is shown in the following tabular statement, and is compared with the corresponding figures for 1880 :—

Result of Prosecutions	Karáchi		Hyderabad including Thar and Párkar		Shikárpur including Upper Sind Frontier.		Total.	
	1880	1881	1880.	1881	1880	1881.	1880	1881.
Offenders brought to trial ...	82	82	136	129	139	133	357	344
Of these, acquitted and set at liberty	24	34	22	37	56	70	102	141
Convicted	49	32	109	82	66	61	224	175
Died or escaped	2	2	...	...	5	1	7	3
Remaining under trial at the end of the year	7	14	5	10	12	1	24	25

Column 13.

Assessors.

37. There were 129 trials, against 159 in 1880, held in the year, before the Courts of Session, with the aid of assessors. The average number of assessors in each case was 2. The number of cases in which the Judge agreed with the assessors was 91 against 123 in 1880. The number of cases in which he differed from both the assessors was 32, while the number of those in which he differed from one alone was 6, in all 38 such cases against 36 in 1880.

STATEMENT No. V.

Punishments.

38. The following statement shows the number of cases in which the various punishments were inflicted in the year 1880 and 1881, together with any comparative increase or decrease in the number of such cases :—

Punishments.	Number of Cases			
	1880.	1881.	Increase.	Decrease.
Death...	28	14	...	14
Transportation	19	44	25	...
Penal servitude	..	...	...	...
Imprisonment { Rigorous	4,974	4,174	...	800
Imprisonment { Simple	66	48	...	18
Forfeiture of property	...	...	...	...
Fine	8,807	8,332	...	475
Whipping	360	363	3	...

39. The number of persons ordered to give security or recognizance to keep the peace or for good behaviour was 316 against 298 in 1880. The number of persons imprisoned in default of furnishing security for good behaviour was 174.

Imprisonment.

40. The number of persons sentenced to imprisonment for 15 days and under was 625; for 6 months and under, 2,164; for 2 years and under, 1,360; and for 7 years and under, 73. No person was sentenced to imprisonment for more than 7 years. Thus the number of persons sentenced to imprisonment for 6 months and under exceeded the aggregate number of persons sentenced to 2 years' imprisonment and under, and to 7 years' imprisonment and under by 731. The number of persons sentenced to imprisonment for more than 6 months was only 33·94 per cent. of the whole number of persons sentenced to imprisonment. This circumstance when taken with the decrease of 818 in the number of persons sentenced to imprisonment, may be held to be satisfactory, as showing that most of the crimes punished with imprisonment were not apparently of a serious type and that there was a marked diminution in the class of crimes ordinarily punishable with imprisonment.

Fines.

41. The number of persons sentenced to a fine of Rs. 10 and under was 6,654; of Rs. 50 and under, 1,402; of Rs. 100 and under, 199; of Rs. 500 and under, 75; and of Rs. 1000 and under, 2.

No person was sentenced to a fine of more than Rs. 1,000.

Thus the number of persons sentenced to a fine of Rs. 10 and under exceeded all the rest put together by 4,976. The number of persons sentenced to a fine of more than Rs. 10 was only 20·13 per cent. of the whole number of persons sentenced to a fine. There was also a decrease of 475 in the number of persons sentenced to fine in the year under report as compared with the number in 1880. The result seems satisfactory.

42. The total amount of fines imposed during the year was Rs. 1,09,967 against Rs. 1,27,935 in 1880. There was thus a decrease of Rs. 17,968. The amount realized during the year was 74,281 against 69,469 in 1880. Thus 67 per cent. of the total amount imposed was realized, against nearly 55 per cent. in 1880.

43. The total amount paid by way of compensation was Rs. 5,056-5-7 against Rs. 5,962-13-3 paid in 1880.

Whipping.

44, The number of juvenile offenders sentenced to whipping with 10 stripes and under was 24, against 33 in 1880; with 20 stripes and under 47 against 93 in 1880; with 30 stripes and under 24. The number of adults sentenced to whipping with 30 lashes and under was 140; with 50 lashes and under was 77; with 100 lashes and under was 50; with more than 100 lashes was 1.

In 1880 the number of persons, both juvenile and adults, sentenced to whipping with 30 stripes or lashes and under was 94, while the number of persons sentenced to more than 30 lashes was 40.

The total number of boys whose sentences were commuted to detention in the Reformatory at Shikárpur was 14.

STATEMENT No. VI.

Result of Appeal and Revision.

(*a*) *Result of Appeals.*

45. The total number of appeals during the year was 977 against 1,156 in 1880, showing thus a decrease of 179. Of these 977 appeals, 203 were made

to Magistrates against 257 in 1880, 626 to Courts of Session against 743 in 1880; and 148 to the Sadar Court against 156 in 1880.

46. The result of appeals against the year, as compared with that in 1880, is exhibited in the following statement :—

Result.	Magistrates.				Courts of Session.				Sadar Court.			
	1880.	1881.	Increase.	Decrease.	1880.	1881.	Increase.	Decrease	1880.	1881.	Increase.	Decrease
Appeals rejected ..	28	2	..	26	270	298	28	..	23	33	[illegible]	..
Sentence confirmed ..	139	113	..	26	279	194	..	85	68	76	8	..
Sentence enhanced .	..	16	16	..	5	10	5	..	..	3	3	..
Sentence reduced or otherwise altered .	47	27	..	15	62	47	..	15	46	21	..	25
Sentence reversed ..	31	44	13	..	84	57	..	27	10	10	..	..
Proceedings quashed ..	..	1	1	..	3	2	..	1	.	..	..	..
New trial or further enquiry ordered .	..	5	5	..	..	..	..	..	..	..	..	..
Died or escaped ..	2	..	..	2	..	12	12	..	..	..	..	..
Pending trial..	15	..	..	15	40	6	..	34	4	5	1	..
Total ..	257	*208	35	84	743	626	45	162	156	148	17	25

*If the 5 cases in which new trials were ordered, the conviction and sentence being at the same time reversed, be deducted, the number would be 203.

47. The average number of days during which each appeal lasted is shown in the following table :—

Courts.	Average number of days.
District Magistrate and others. Magistrates authorized under Section 266, Criminal Proceedure Code, in the Karáchi District ...	13·16
Do. do. Hyderabad District ...	14
Do. do. Shikárpur District ...	7
Do. do. Upper Sind Frontier District ...	9
Do. do. Thar and Párkar ...	21
Sessions Court, Karáchi	9·828
Do. Hyderabad cases	11
Do. Thar and Párkar cases...	14
Shikárpur .. Shikárpur cases	24·50
Shikárpur .. Upper Sind Frontier cases	27·68
Sadar Court	6·1

(b) Results of Revision

48. The total number of cases revised by the District Magistrates was 34, of which 1 was referred to the Sadar Court. The total number of cases revised by the Courts of Session was 184, of which 13 were referred to the Sadar Court.

49. The total number of cases revised by the Sadar Court was 795, against 815 in 1880. The following was the result of the Court's revision, as compared with that in 1880:—

Result	Number of Cases.			
	1880.	1881.	Increase	Decrease
Sentence or order left untouched ..	511	465	...	46
Sentence enhanced	...	67	67	...
Sentence reduced or otherwise altered ...	145	84	...	61
Sentence reversed	143	107	...	36
Proceedings quashed	2	2	..	5
New trial or further enquiry ordered ...	6	18	12	..
Pending trial at the end of the year ..	3	52	49	...
Total ...	815	795	128	148

Sadar Court as a Court of Confirmation under Section 287, Criminal Procedure Code.

50. Sentences of death passed upon 21 persons were referred to the Sadar Court for confirmation during the year against 28 such sentences in 1880. Two other cases referred late in 1880 were awaiting disposal from that year. In the case of these 23 persons the sentence of death passed upon 14 was confirmed against 21 in 1880; 6 was commuted to transportation for life, against 2 in 1880; 2 were reversed against 5 in 1880; 1 was modified.

51. The average number of days during which each revisional case lasted was as follows :—

In the Court of Session, Karáchi 2·644 days.
Do. Hyderabad 2·5 „
Do. Thar and Párkar 1 „
Do. Shikárpur 27·7 „
Do. Upper Sind Frontier—nil.

Before the District Magistrate, Karáchi, ... Nil.
Do. Hyderabad ... ... Nil.
Do. Shikárpur ... ... Nil.
Do. Upper Sind Frontier ... Nil.
Do. Thar and Párkar ... ... 1 day.

In the Sadar Court ... ... 10·6.

Civil Justice.

52. No change was made in the Courts exercising civil jurisdiction during the year.

STATEMENT No. VII.

Institution of Suits.

53. There were 22,859 suits instituted in the Civil Courts, not including the Mámlatdárs' Courts, compared with 27,134 in 1880. There was thus a decrease of 4,315 suits, or about 15·90 per cent.

54. The following table shows the number of suits instituted in 1880 and 1881 in the several Courts in the province :—

Courts	Karáchi.		Hyderabad.		Shikárpur including Upper Sind Frontier.		Thár and Párkar.		Total.	
	1880.	1881.	1880	1881.	1880.	1881.	1880.	1881.	1880.	1881.
Judicial Commissioner's Court (sitting under Act [illegible] of 1869)		1	..			..			...	1
District Courts	76	71	4	5	8	11	1	...	89	87
Subordinate Civil Courts	3,647	3,250	10,467	8,869	10,168	8,292		..	24,282	20,431
Assistant Political Superintendent and Muktiarkars, Thar and Párkar		...	...	..	...	...	512	424	512	424
Small Cause Court, Karáchi	2,251	1,916		.		.			2,251	1,916
Total	5,974	5,238	10,471	8,894	10,176	8,303	513	424	27,134	22,859

55. The decrease in the number of suits in the Shikárpur district was due, according to Mr. Batty, to "the cessation of that exceptional stimulus which in "1879-1880 had been given to trade and speculation by the construction of the "Railway and the contracts connected with the Afghan war". In the Karáchi District, the decrease was mainly observable in the Subordinate Courts of Kotri and Sehwan. The reasons given by the Subordinate Judge of Sehwan are that a great deal of sickness prevailed in his division and that a smaller number of suits was filed under Section 525 of the Code of Civil Procedure. The Subordinate Judge of Kotri attributes the falling off in the number of suits in his Court "to the abolition of the Indus Steam Flotilla workshops at Kotri and the consequent reduction in their establishments."

In the District of Hyderabad there was a slight increase in the number of suits in the Subordinate Court of Hála, but not large enough to call for any special remark. In the Subordinate Courts of Naushahro and Tando, there were slight decreases, while there was a considerable decrease in the Subordinate Court of Hyderabad, 1,732 suits having been filed in 1880, while only 1,153 were instituted in 1881, a difference of 580 suits. The Subordinate Judge ascribes the falling off of litigation rather vaguely to the injury done to trade by the opening of the Indus Valley State Railway between Kotri and Sukkur.

56. The following comparative statement shows the number of suits of all kinds filed in 1880 and 1881, and any increase or decrease in litigation of each kind :—

Classes of Suits	1880.	1881.	Increase.	Decrease
Suits for Money or Moveable Property.				
1. On contract in writing	7,907	6,852	...	1,055
2. On contract not in writing ..	3,058	2,132	...	926
3. On account stated	10,457	9,170	...	1,287
4. For money had and received ...	700	611	...	89
5. For goods sold	3,257	2,305	...	952
6. For wages, work, and materials ...	...	119	...	...
7. For breaches of contract not mentioned above	...	373	...	...
8. Rent of houses, &c. other than land ...	...	247	...	..
9. Moveable property or value thereof ...	413	310	...	103
10. Damages	52	37	...	15
Suits to establish Title and other Suits.				
11. For arrears of rent of land with or without ejectment or cancelment of lease	...	46	...	...
12. For enhancement or abatement of rent.	...	..	...	...
13. Relating to distraint	..	6	...	...
14. Damages for extortion or withholding receipts or on account of illegal restraint or other cause	..	1	..	...

Classes of Suits.	1880.	1881.	Increase.	Decrease.
15. For Pottahs or Kabulayats ...	...	...	...	...
16. Suits for immoveable property ...	269	177	...	92
17. Suits for declaratory decrees ...	...	12	...	...
18. Other suits under the Specific Relief Act	...	1	...	...
19. Suits to declare and establish rights to real property including pre-emption, foreclosure, &c.	121	273	152	...
20. Suits to establish and declare personal rights	3	2	...	1
21. Suits for account	30	21	...	9
22. Relating to religious endowments ...	...	...	...	...
23. Suits to set aside judgments, contracts or obligations on the ground of fraud.	1	...	...	1
24. For dissolution of marriage ...	27	1	...	26
25. Suits for enforcement of matrimonial rights	34	48	14	...
26. Suits for partition	7	34	27	...
27. Relating to shipping	1	1	...	...
28. Suits relating to religion and caste ...	...	...	...	...
29. Administration suits	...	...	...	...
30. Interpleader suits	...	...	...	...
31. Dissolution of partnership	...	23	...	...
32. Suits under section 261 of Act X of 1865 (also Hindu Wills' Act) ...	...	...	...	...
33. Other suits not falling under any of the previous heads	...	57	...	...

57. If the several kinds of suits were classified according to the number of institutions of each kind they would be arranged in the following order :—

(1) On account stated.
(2) On accounts in writing.
(3) For goods sold.
(4) On accounts not in writing.
(5) For money had and received.
(6) For breach of contract not mentioned above.
(7) For moveable property or value thereof.
(8) Suits to declare and establish rights to real property including pre-emption, foreclosure, &c.
(9) For rent of houses or property other than land.
(10) For immoveable property.
(11) For wages, work and materials.
(12) Other suits not falling under any of the heads specified in the statement.
(13) Suits for the enforcement of matrimonial rights.
(14) Arrears of rent of land with or without ejectment or cancelment of lease.
(15) For damages.
(16) For partition.
(17) For dissolution of partnership.
(18) For an account.
(19) For declaratory decrees.
(20) Relating to distraint.
(21) To declare and establish personal rights.
(22) Damages for extortion or withholding receipts or on account of illegal restraint or other cause.
(23) Suits under the Specific Relief Act except those for declaratory decrees.
(24) Suits relating to shipping.

58. As in the preceding year, no suits relating to religious endowments or to religion and caste were filed in the year under review, nor any administration suits or interpleader suits or suits under Section 261 of Act X. of 1865. It is satis-

factory to note that only 1 suit was filed throughout the year for dissolution of marriage, against 27 such suits in 1880. The number of suits to establish and declare personal rights decreased from 3 to 2, while the number of suits to establish and declare rights to real property, including pre-emption, foreclosure, &c., increased from 121 to 273. This is, perhaps, a significant fact, as it seems to indicate a greater desire on the part of land-holders and agriculturists to resort to the Civil Courts, rather than take the law into their own hands. The comparatively large increase in the number of suits for partition seems also to be a sign of progress among the Hindus. The very small number of suits for an account for dissolution of partnership and of suits relating to shipping seems to show that the commerce of this Province is still in its infancy.

59. On account of the difference between the forms of the annual statements prescribed for the year under report, and those for the previous year, no correct comparison is possible between classes 7, 8, 11, 12, 13, 14, 15, 16, 17, 18 and 19 in the first of the two foregoing lists.

STATEMENT No. VIII.

60. The aggregate value of suits instituted in the several Courts was Rs. 17,40,464-5-7 compared with Rs. 19,62,218-6-5 in 1880. The average value of each suit was Rs. 76-2-2 against Rs. 76-7-0 in 1880.

61. The total number of suits for sums not exceeding

	Rs. 10	was	5,326
	„ 50	was	10,766
	„ 100	was	3,319
	„ 500	was	2,946
	„ 1,000	was	261
	„ 5,000	was	133
	„ 10,000	was	5
Exceeding	„ 10,000	was	5

The number of suits the value of which cannot be estimated in money was 98.

62. Thus, while the number of suits not exceeding Rs. 10 in value was nearly one-half of those not exceeding Rs. 50 in value, this latter class of suits exceeded all the rest put together by 3,999. The total number of all suits exceeding Rs. 500 in value was only 404, *i.e.* 1·76 per cent. of the whole number of institutions. This circumstance does not of course show that all the other cases were cognizable by a Mofussil Court of Small Causes, but it shows how little litigation on a large scale there is in Sind.

STATEMENT No. IX.

Part I.

63. The total number of suits decided after contest was 3,786, in 663 only or about 17 per cent. of which was judgment given for the defendant.

64. The total number of suits decided without contest was 12,656, *i.e.* more than thrice the number of contested suits; of these, the number of suits compromised was 7,840, *i.e.* a little more than double the number of suits contested, while the number of those decreed on confession was 2,060, *i.e.* about one-sixth of the number of uncontested suits. The aggregate number of suits compromised and decreed on confession was thus 9,900, against 11,185 in 1880.

65. The number of suits decreed *ex parte* was 2,653 against 3,651 in 1880; while the number of suits dismissed *ex parte* was only 103. The aggregate number, therefore, of suits decreed and dismissed *ex parte* was 2,756, *i.e.* a little less than one-fourth of the number of uncontested suits and only 1,030 less than the number of contested suits.

66. The number of suits disposed of without trial was 6,065 against 8,466 in 1880, showing thus a decrease of 2,401 and being 26·5 per cent. of the total number of suits filed in the year.

67. The number of suits referred to arbitration was 641, as against 676 in the preceding year, showing thus a decrease of 35, and being 2·7 per cent. of the whole number of suits disposed of. In these 641 cases, judgment was given for the defendant in 91 cases only, or a little more than 14 per cent. of the whole number. The number of suits referred to arbitration was, as in the preceding year, largest in the Shikárpur District, and next largest, in the Hyderabad District.

68. The number of suits pending at the close of the year and the number pending more than 3 months at the close of the year as well as the average duration of suits in days in the several Courts is shown in the following statement :—

Class of Courts.	Pending at the close of the year	Pending more than 3 months at the close of the year.	Average duration of Suits.			
			Contested.		Uncontested.	
			1880.	1881.	1880.	1881.
Judicial Commissioner's Court under Act IV of 1869	1	1	...	...	...	...
District Court, Karáchi	27	20	214	283	114	81
Small Cause Court, Karáchi ...	83	16	46	19	9	17
Sub-Civil Courts, Karáchi District ...	100	11	39	104	23	46
Mámlatdárs' Courts, Karáchi District.	1	Nil.	...	45·2	...	22·2
District Court, Hyderabad ...	3	1	89	370	202	272
Sub-Civil Courts, Hyderabad ...	494	101	43	45	21	21
Mámlatdárs' Courts, Hyderabad ...	4	1	...	30	...	15
District Court, Shikárpur ...	9	5	...	410	122	155
Sub-Civil Courts, Shikárpur ...	463	116	34	611	29	25
Mámlátdars' Courts, Shikárpur ...	6	1	...	24	...	11
Deputy Commissioner's Court, Thar and Párkar	Nil.	Nil	1	...	6	247
Sub-Civil Courts, Thar and Párkar ...	35	18	28	84	16	42
Mámlátdars' Courts, Thar and Párkar	1	Nil.	...	21	...	8
	1,227	291				

69. The total number of suits pending at the close of the year was 1,227 against 1,029 in 1880, while the number of cases pending more than three months at the close of the year was 291, against 259 in 1880.

70. The average duration of suits in the District Courts is still very high. It is attributable partly to the adjournments granted on the application of both parties, partly to vacations and in a great measure also to the press of criminal work. There can be no doubt that the Shikárpur District Court has been much overworked. The relief given by the appointment on the last day of the year of the Judge of Hyderabad as Joint Judge of Shikárpur will give some relief, and it may be hoped that suits will now be more speedily disposed of in the Shikárpur District Court.

Statement No. X.—Part I.

Appeals from Decrees.

71. The total number of appeals before the Courts during the year was 396 against 318 in 1880. The following statement shows the results of these appeals, as compared with the corresponding figures for 1880 :—

	Total number of Appeals before the Court.	Transferred to Courts in other districts.	Appeals summarily rejected.	Dismissed for default or otherwise not prosecuted.	Heard Ex-parte.				Contested				Total disposed of.	Pending	Pending more than 3 months
					Confirmed.	Modified.	Reversed.	Remanded.	Confirmed.	Modified.	Reversed.	Remanded.			
District Courts, 1881 . ..	378		28	29	2	4			66	19	21	19	188	190	140
Ditto 1880 .	301	26	..	10	..	.	..	.	60	28	13	8	140	161	
Sadar Court, 1881 .	18	..	.	.	..	..	.		9	2	2	.	13	5	3
Ditto 1880	17	.	..		..	..	.	..	10	1	3	1	15	2	
Total, 1881 .	396	.	28	29	2	4	.	..	75	21	23	19	201	195	143
Total, 1880 .	318	26	..	10		..	..	..	70	29	16	4	155	163	.

72. Of the 378 appeals filed in the District Courts, 28 were summarily rejected, 29 dismissed for default against 10 in 1880, and 190 were pending at the end of the year. Of the remaining 131 appeals, 6 were heard and determined *ex-parte*, the decrees in 2 of them being confirmed and in 4 modified; while 125 were contested. The result of these contested appeals was as follows:—

Decrees confirmed	...	...	...	66
modified	...	...	...	19
reversed	...	...	...	21
remanded	...	...	...	19

73. Of the 18 appeals filed in the Sadar Court, 13 were disposed of and 5 were pending at the end of the year. Of those disposed of, the decrees in 9 were confirmed; in 2 modified; and in 2 reversed.

74. The number of appeals pending in the District Courts at the end of the year increased from 161 to 190, but of these 190 no less than 165 were pending in the District Court of Shikárpur. The civil and criminal work in this district is very heavy. It is however hoped, now that a Joint Judge has been appointed, that the arrears will be materially reduced before the end of the current year.

75. The average duration of appeals in the several Appellate Courts was as follows:—

District Court of Karáchi		...	...	114 days.
Do.	Hyderabad	...	...	90 „
Do.	Shikárpur	...	.	299 „
Do.	Thar and Párkar	...	...	84 days and 8 hours.
Do.	Sadar Court	...	...	101 days.

Statement No. X.—Part II.

Miscellaneous Appeals.

76. The total number of miscellaneous appeals during the year was 44, of which 28 were instituted in the District Court of Shikárpur, 9 in the District Court of Hyderabad, and 7 in the Sadar Court. No miscellaneous appeal was preferred in the Court of the Deputy Commissioner of Thar and Párkar or in the District Court of Karáchi.

77. Of the 37 appeals filed in the District Court, 3 were summarily rejected, 10 were dismissed for default or withdrawn, and 9 were pending at the close of the year. Of the remaining 15, one was heard *ex-parte*, and 14 were contested. In the *ex-parte* appeal, the decree was reversed, while in the contested appeals the decree was confirmed in 3 cases, modified in 1 and reversed in 10.

78. The total number of miscellaneous appeals before the Sadar Court was 7, of which 2 were dismissed for default and 2 were pending at the close of the year. In the remaining 3, the decree was confirmed in 1, modified in 1, and the proceedings were remanded in 1.

79. The average duration of miscellaneous appeals in the several Courts was as follows:—

In the District Court of Karáchi	... ...	... Nil.
Do. Hyderabad	... ...	... 32 days.
Do. Shikárpur ...	... ...	... 204 „
Before the Deputy Commissioner, Thar and Párkar		... Nil.
In the Sadar Court		... 92·6 days.

80. Besides the miscellaneous appeals and appeals from decrees, the Sadar Court called for 15 cases on the applications of parties under Section 622 of the Code of Civil Procedure and two more were pending from the year 1880. These 17 applications were disposed of during the year under report in the following manner:—

Dismissed for default or withdrawn	...	... 3
Rejected	...	.. 9
Granted and decrees reversed ...	...	... 5

81. There were moreover 6 references under Section 617, Civil Procedure Code, of which 3 were disposed of and 3 remained pending at the close of the year.

Statement XI.

Result of proceedings on application for execution of Decrees.

82. The total number of applications for execution of decrees was 18,042, against 21,164 in 1880. Of those 13,683 were disposed of against 16,865 in 1880. The number of applications on which satisfaction was obtained in full was 2,404, *i.e.* 17·5 per cent. of the whole number disposed of, against 3,316 in 1880; while the number of those on which satisfaction was partially obtained was 2,253, *i.e.* 16·4 per cent. against 3,905 in 1880. The number of wholly infructuous applications was 9,007, *i.e.* 65·8 per cent. of the whole number against 10,454 in 1880. The number of applications pending at the end of the year was 4,359, *i.e.* 24·1 per cent. of the whole number against 4,299 in 1880; while the number of those pending more than 3 months at the end of the year was 3,403, *i.e.* 18·8 per cent. of the whole number of applications.

83. The aggregate amount realized with the issue of process was Rs. 1,09,746-15-3, *i.e.* an average of Rs. 8-0-2 on each application disposed of. The aggregate amount realized without the issue of process was Rs. 46,924-5-0, *i.e.* an average of about Rs. 3-6-9 on each application disposed of.

84. The number of applications on which the judgment-debtor was imprisoned was 302, against 715 in the previous year, while the number on which he was arrested, but was released without imprisonment, was 751. Thus the total number of applications for the arrest and imprisonment of judgment-debtors was 1,053, *i.e.* 7·6 per cent. of the whole number of applications for execution disposed of during the year.

85. The aggregate number of applications on which moveable property was sold amounted to 295 against 377 in 1880; while the number of those on which property was attached but subsequently released amounted to 741 against 3,845 in 1880. Thus the total number of applications for attachment and sale of moveable property was only 1,036, *i.e.* 7·5 per cent. of the whole number of applications disposed of.

86. The aggregate number of applications on which immoveable property was sold was 249, against 396 in 1880, while the number of applications on which property was subsequently released, after attachment, amounted to 526 against 1,197 in 1880. Thus the total number of applications for the attachment and sale of immoveable property was 775, *i. e.* 5·6 per cent. of the whole number disposed of. As the Local Government has issued no notification under Section 320 of the Code of Civil Procedure, no applications were dealt with under Section 322 or 326, nor was any application dealt with under Section 305, Civil Procedure Code.

87. The number of applications on which possession was given of moveables amounted to 2, while those on which possession of immoveable property was given amounted to 33. Thus, in all, possession was delivered in 35 applications, against 44 in 1880, that is, in ·25 per cent. of the whole number of applications disposed of.

Statement No. XII.

Insolvency Proceedings.

88. The total number of applications was 66 against 53 in 1880. All these applications, except one, were heard by the Subordinate Courts and the Small Cause Court, Karáchi, which have been invested with the requisite power under Section 360, Civil Procedure Code. It is to be regretted that the second paragraph of this section empowers these Courts to deal only with applications by arrested persons. By such a restriction of their jurisdiction, the benefit conferred by the amendment of Section 344, introduced by Act XII of 1879, is to a great extent neutralized. If the Courts invested with insolvency jurisdiction under Section 360 were allowed to entertain applications by persons "against whose property an order of attachment has been made," the number of applications would be probably greater, and the relief given more extensive.

89. Of the above 66 applications 9 were pending at the close of the year; 20 were rejected; 12 were withdrawn; and 15 were granted, *i. e.* 31·9 per cent. of the whole number.

90. In 1880, only 11 applications were granted out of the 49 that were disposed of, *i.e.* 22·4 per cent. The increased percentage in 1881 is satisfactory, especially when coupled with the fact, that only one of the applicants out of the 20 whose applications were rejected was sentenced to imprisonment under Section 359, Civil Procedure Code; while of those whose applications were granted, no less than 14 were discharged.

91. The largest number of applications was made in the Shikárpur District, Hyderabad coming next in order, while in Thar and Párkar not a single application was made.

92. The admitted amount of creditors' claims dealt with during the year was Rs. 2,205-13-10, while the satisfied amount of such claims was Rs. 52-8-6.

93. The gross amount of Insolvents' assets realized during the year was Rs. 1,102-11-1, of which Rs. 905-11-5 were disbursed.

Statement No. XIV.

Part. I.

94. No change was made in the number of District Judgeships and Sub-Judges' Courts, or in the Thar and Párkar where the Deputy Commissioner is invested with the powers of a District Judge. While the Extra Assistant Collector, 7 Mukhtyárkars and 6 Head Munshis exercise jurisdiction in suits not exceeding in value Rs. 2,000, 200 and 50, respectively.

95. The total area and population of the four District Judgeships are the same as those of the three Sessions Divisions already given above. As the total number of suits (including those in the Mámlatdárs' Courts) during the year was 23,214, one suit was filed for every 103·009 of the people, and for every 3·42 square miles of the country.

Part II.

96. The number of officers exercising civil powers only was 12, of officers exercising both civil and criminal powers, including the Judge of the Sadar Court, but excluding the Mukhtyárkars who exercise powers as Mámlatdárs, 11; of officers exercising civil, criminal and revenue powers 9; of Mukhtyárkars (Mámlatdárs) exercising criminal powers, 3; of Mukhtyárkars (Mámlatdárs) exercising both criminal and revenue powers, 21; of the same class of officers exercising criminal, civil and revenue powers, 5.

97. The total number of working days of all these officers was 5,388, of which 3,641 days were spent in civil work, and 1,747 in criminal work. These figures, compared with those already given for criminal work, show the preponderance of criminal over civil work in the ratio of 4 : 1.

Part III.

98. The total receipts, whether in Court fees or in cash, of all the Civil Courts in the Province during the year were as follows:—

	Rs.
District Judges' Courts	17,557
Subordinate Courts including Courts of Mukhtyárkars and Head Munshis in Thar and Párkar	1,78,919
Small Cause Court, Karáchi	13,867
Sadar Court	2,459
	2,12,802

The total charges of all descriptions incurred in the Civil Courts were as follows :—

	Rs.
District Judges' Courts	48,897
Subordinate Courts, including the Courts of the Mukhtyárkars and Head Munshis in Thar and Párkar	95,921
Small Cause Court, Karáchi	12,677
Sadar Court	20,890
	1,77,885

Thus the receipts in the year under report exceeded the charges by Rs. 34,917.

Examination of Records of Subordinate Courts.

99. The Subordinate Civil Courts of Kotri and Sehwan were visited during the year by the District Judge of Karáchi and their records examined. The District Judge of Hyderabad states that he was only able to inspect the Subordinate Court at Hála, as he acted as Judge of Karáchi while performing at the same time his own duties at Hyderabad for 3 months. The District Judge of Shikárpur could not examine any of the Subordinate Courts in his District on account of the pressure of civil and criminal work in his Court. The Deputy Commissioner, Thar and Párkar, examined the records of the Civil Courts at Umarkote, Mitti, Dipla, Chachra, Sanghar and Khipra. The Acting Judge of the Sadar Court examined the records of 4 Subordinate Civil Courts, viz., those of Mehar, Naushahro, Hála, and Hyderabad, and of 3 Second Class Magistrates, viz., those of Halá, Moro, and Sákrand.

Condition of the Record Rooms.

100. The condition of the Record rooms inspected by the Acting Judge of the Sadar Court, Mr. Parsons, was satisfactory. The records of the District Courts of Karáchi, Hyderabad, and Shikárpur and of the Subordinate Courts in the Districts of Karáchi, Hyderabad and Thar and Párkar are reported to be in very good condition.

Destruction of useless Records.

101. In the District Court of Karáchi, 8 years' useless records, viz. from 1867 to 1874, were destroyed, and the destruction of the useless records in the Subordinate Courts in the District was also completed during the year under review. In the District Court of Hyderabad all useless civil records up to 1874, and all useless criminal records up to 1870, were destroyed. The Subordinate Judges in this District destroyed their useless records up to 1874. The useless records of the Civil Courts in Thar and Párkar were destroyed up to 1874. In the Sadar Court the Rules do not permit the destruction of records.

102. The necessity for altering the rule under which mileage fees are collected in Sind for the service of processes at any place more than a mile distant from each Civil Court, in addition to the ordinary process fees, under rules similar to those in force in the rest of the Presidency, is now engaging the attention of Government on a representation made by the late Acting Judge of the Sadar Court.

I have the honour to be,

Sir,

Your most obedient Servant,

H. BIRDWOOD,

Judge, Sadar Court.

No. 1338 of 1881.

From

W. WOODWARD, Esquire,
Agent Governor, Panch Mahâls,

To

The REGISTRAR to HER MAJESTY'S
HIGH COURT of JUDICATURE,
Bombay.

Camp Chota Udepur, 4th April 1882.

Sir,

As directed in Government Resolution No. 2065 of 22nd March 1880, I have the honour to submit my report on the administration of criminal and civil justice in this Agency for the year ending 31st December last. The results of the year are given in the accompanying 14 statements prescribed by Government.

2. These five Mahâls, as the High Court is aware, constitute a scheduled district and are administered by the Agent on behalf of His Excellency the Governor, since their transfer from His Highness the Sindia in 1861. The Courts have been established on the principles of Regulation Provinces, only differing in the point of Appellate jurisdiction. The number of Magistrates, Munsiffs and Judges remain at the *status quo* of the preceding year, with the exception that the District Deputy Collector was invested with Civil Appellate powers in the beginning of the year 1881.

Criminal Justice.

3. There were in the district during the year under report :—

3 Magistrates of the 3rd Class.
5 " " 2nd "
2 " " 1st "
1 Assistant Judge (*i.e.* 1st Class Magistrate or Assistant Agent).
1 Sessions Judge (Agent)
1 High Court (Government) for the disposal of criminal work brought within the jurisdiction of the several courts.

4. The state of crime during the year under report contrasts favourably with the results of the preceding years, and leads me to believe that the people are gradually directing their energies to earn their livelihood by lawful means rather than by the commission of offences.

Years.	Number of offences reported	Number of persons brought to trial.	Number convicted.
1877	1,655	2,093	1,460
1878	2,726	3,384	2,791
1879	1,285	1,763	1,204
1880	1,048	1,546	1,016
1881	951	1,362	848

The number of crimes has decreased by 97 or about 9 per cent. The figures include offences committed under the local laws such as A'bkári, Forest, Opium, Municipal, Cattle pound, &c., which are technically quasi-judicial Acts passed for the preservation of State revenues and sanitation. These comprise more than ½ of the total offences shown in column 2 above. With reference to Circular No. 1700 of the 2nd December last, I should state that in all 3 murders falling under "(4) Other Causes" were reported during the year. Two cases remained undetected and one disposed of as noted in para. 6 below. Dacoity cases decreased from 12 to 6 and cattle thefts also from 57 to 44. These offences were not of a special character to be noticed here.

5. The principal offences against property are compared below :—

	1877.	1878.	1879.	1880.	1881.
Dacoities	13	44	25	7	19
Robberies	22	38	30	19	
House-breaking and theft	157	443	165	57	171
Theft of cattle	147	217	99	32	
Theft, ordinary	464	1,085	396	152	
	803	1,827	715	267	190

It thus appears that the decrease is not restricted to one head of crime but is a general one, and this happy result is attributable to a succession of good seasons and concomitant cheap supply of food-stuffs to the lower and criminal classes succeeding the disastrous years of 1877-78. It may, too, safely be predicted that when the people get accustomed to the recently introduced revenue and sanitary laws a proportionate decrease in illegal acts committed under them will be noticed. Cases under the Forest Act have not fallen off to the degree anticipated last year (*vide* para. 5 of my report No. 1565 of 2nd July 1881) owing perhaps to overzeal on the part of the subordinates of the Forest Department. The number of offences this year was 43 against 56 last year.

6. The percentage of convictions to persons brought to trial exhibits a slight falling off, similar to that noticed last year as shown in the margin. No capital punishment was inflicted during the year, while only two persons (Ganchis of Godhra town) were sentenced to transportation for life on a charge of murder of their casteman. They appealed to Government, but without effect. Two persons were sentenced to seven years' rigorous imprisonment and the remaining convicts were sentenced to pay fines not exceeding Rs. 500 in amount and to imprisonment ranging up to two years as follows ;—

1880	65·71
1881	62·26

(1) 23·82 were sentenced to imprisonment.
(2) 73·82 do. fine.
(3) 0·94 do. whipping.

7. In the subjoined table particulars regarding stolen property within the last five years are given :—

Years.	Property stolen.	Property recovered.	Percentage of recovery.
1877	15,337	5,833	38·03
1878	23,291	9,394	40·33
1879	18,028	5,537	30·71
1880	9,768	2,391	24·47
1881	12,377	7,207	58·22

The property stolen within the year amounts to more by about 25 per cent. than the figures of the preceding year, still it is satisfactory to see that the recovery contrasts favourably with that of 1876 to 1880. The percentage of recovery is 58·22 against 24·47. No special reason has been assigned by the Superintendent of Police for this increase in the stolen property.

8. 2,720 witnesses attended the several Courts of the District which number is less than the year preceding, when it amounted to 3,244. Comparing the average with that of the last year, there results a decrease of 0·44 or 3·36 witnesses per case against 3·80 in 1880. The reduction in their number was not proportionate to the decrease in the number of offences.

9. There are three Appellate Courts in the District, viz., Agent's, District Magistrate's and 1st Class Magistrate's, empowered to hear appeals from the decisions of the lower Courts. The result of their operations is that sentences have been confirmed in 12 cases, modified in 9 and reversed in 7. One appeal remained to be disposed of at the end of the year, thus making a total of 29 appeals preferred during the whole year against 49 in the year before. These appeals were decided by the following tribunals:—

I as Agent	12
and	
As District Magistrate	2
Mr. Allen, 1st Class Magistrate	14
	28

Three appeals were preferred to Government against the orders of the Agent and the Courts below resulting in the confirmation of the orders passed by the lower Courts.

10. A reference was submitted to Government in a case decided by the 2nd Class Magistrate of Kalol, but for reasons therein given Government declined to order the re-trial of the accused.

Civil Justice.

11. The two Munsifs or Sub-Judge's Courts at Godhra and Dohad take cognizance of all original suits filed in the district without limitation as to the amount involved. The presiding officers have powers granted to them for the disposal of small causes of value not exceeding Rs. 50. The Agent is the chief authority and his powers are concurrent with those of District Judges in Regulation Provinces. Here special appeals lie to Government instead of to the High Court.

12. During the latter part of the year there was a change in the personnel of the two Munsifs, namely, Ráo Sáheb Chunilál (Godra Munsif) was transferred to the Ahmedabad District, Ráo Sáheb Ghelábhái from Dohad to Godhra, and Khán Sáheb Jehángir E. Modi, a new officer, appointed to Dohad.

13. The number of original suits filed during the year was 1,803 including 59 under Bombay Act III of 1876 and 92 of rent under the Revenue Code against 1,489 in the year 1880, 1,557 in 1879, 903 in 1878, and 1,359 in 1877. Besides these 13 causes were admitted for review. The increase is attributable to a good harvest and general improvement in the condition of people, a state of things which has induced to increase of litigation. The percentage of suits instituted during the year to population (exclusive of rent suits) according to the census of 1881 amounted to ·67 against ·62 in 1880, ·64 in 1879, ·37 in 1878, and ·56 in 1877.

14. In all 1,885 suits, inclusive of those pending on 31st December 1880, were brought on the files of different Courts for disposal. Out of that number 1,659 causes were decided, giving a percentage of 88·01 against 89·95 in the preceding year. The balance of undisposed of cases was 226 more than in the foregoing year, but owing to the transfer of Subordinate Judges and absence of suitors from their homes, this balance should not be regarded as excessive.

15. Now, turning to the nature of the suits instituted within the year, I find that out of 1,711 cases filed, a large number, *i.e.* 90·29 per cent., were for cash

debts and moveable property and 9·70 for immoveable property and the settlement of rights. The number of suits of Rs. 500 and under amounts to 1,679 against 1,345 in the year preceding.

16. The number of contested suits filed was 313 or 18·86 per cent. of the number decided during the year. In last year the proportion was 20·98. In this district the majority of cases are uncontested ones, owing to the simple and primitive nature of the cultivators and others residing within the district.

17. The total value of the suits decided in the year under report amounted to Rs. 1,48,672-2-9 or Rs. 86-14-3 per suit against 61-9-8 in 1880, Rs. 72-14-0 in 1879, Rs. 83-1-8 in 1878, and Rs. 69-10-10 in 1877.

18. The average duration of contested and uncontested suits were respectively 109·86 and 50·27 days against 68·94 and 33·27 in 1880.

19. The Mámlatdárs and Mahálkaris decided 58 suits under Bombay Act III of 1876, only one remaining at the end of the year. These cases were examined by the Assistant and Deputy Collectors in charge of tálukas and the Collector, but nothing worthy of particular notice was discovered. The average duration of contested and uncontested suits under this head was 3·48 and 2·16 against 6·24 and 3·39 days.

20. Under the Revenue Code 91 rent cases were decided by the above Revenue Tribunals, leaving a balance of one case only at the end of the year.

21. As usual the small causes disposed of by the Munsifs were examined and the work appears to have been done satisfactorily.

22. The number of appeals presented during the year amounted to 33; while 74 were pending at the beginning of 1st January 1881. Out of these 39 were disposed of with the following results:—

9 reversed.
5 modified.
23 confirmed.
2 withdrawn or settled by Rájinámas.
—
39

The District Deputy Collector, who was empowered with a view to help the Assistant Agent, decided only 8 appeals, for which dilatory conduct Government have reprimanded him. The work is now being pushed forward by the Assistant Agent, and I trust the arrears will be cleared off and better results exhibited in the next year's report.

23. The establishments of the Munsifs' Courts in this district do not correspond with those in Regulation Districts and afford no such relief to the Sub-Judges (Munsifs) here as is given by the clerks of Courts elsewhere.

24. A suit filed against Government in 1876 for recovery of possession of land in the town of Godhra is still pending. Government then directed that a Special Judge would be appointed for the purpose, but nothing further on the subject has been done.

25. The record-rooms in charge of the Munsifs of Godhra and Dohad are in good condition and the useless records have been destroyed under the rules. The Court Fee Stamps are punched the moment they are received by the Courts and again at the time of record.

I have the honor to be,

Sir,

Your most obedient servant,

W. WOODWARD,

Agent to His Excellency the Governor, Panch Maháls.

RULES REGARDING APPOINTMENTS AND PROMOTIONS IN THE SUBORDINATE JUDICIAL ESTABLISHMENT FRAMED BY THE DISTRICT JUDGE OF AHMEDNAGAR.

Under Act XIV of 1869 appointments in the subordinate establishments up to Rs. 10 are made by the Subordinate Judges, subject to the general supervision of the District Judge; all above that amount are made by the District Judge. But there appears to be a want of system in making these appointments. Too much depends, as regards promotion, on the accident of the Court in which the vacancy happens to occur, and there is no regular system for providing good recruits. I propose therefore to make arrangements to secure regular promotion throughout the District according to length of service, while duly recognizing special efficiency and good conduct. As regards outsiders the object is to bring in at the bottom of the list the best class of young men available, while occasionally appointing direct to higher posts persons of superior education and acquirements.

2. In order to carry out these objects I have sent to each Subordinate Judge copy of a general list for the district, showing the age, caste, domicile, position, salary, length of service, and educational qualifications of each member of the establishment. And what I wish is that the Subordinate Judges should communicate freely and confidentially with one another, so that when a Subordinate Judge has to make a recommendation, he may be well acquainted with the respective merits of the persons who have a claim to the appointment, in whatever Court they may happen to be serving at the time.

3. The list will consist of 3 Divisions, A, B and C. In Division A will be included all those receiving Rs. 25 and upwards; in Division B will be included the rest of the ordinary clerical establishment; in Division C will be included the process-serving bailiffs, peons and menials. In each of these divisions the names will be arranged according to amount of salary and the date of appointment to such salary. There will further be kept a list of qualified applicants (1) of person who have matriculated, and are candidates for Division A; and (2) of candidates for bailiffs' places of Rs. 12, selected by competition at the annual examination provided in Rule 8.

4. Persons desirous of being promoted from Division B to Division A will be required to pass a departmental examination (*vide* Rule 7) in English, an exception being made in favour of those who were in the Government service before the 1st of January 1880. These will be allowed to pass in Maráthi. Matriculated students may be appointed direct into Division A, on probation, subject to passing the examination within one year. For sufficient reason an extension of one year may be granted. Bailiffs in Division C who desire to enter Division B, and who have passed the required Public Service test, will have a preferential claim to be appointed to the lowest vacancy in Division B. Bailiffs' places of Rs. 12 will be filled up either from among bailiffs and náiks on Rs. 9 qualified under the High Court Circulars, or from the list of candidates selected by competition under Rule 8. Ordinarily the vacancies will be filled up alternately from these two classes.

5. Bailiffs' places of Rs. 9 will ordinarily be filled up from among the náiks, peons and menials. If none of these are qualified, persons will be selected whom the Subordinate Judges have personally ascertained to be qualified, care being taken to consider any reasonable claims, such as that the candidate has served in the office as an "Umedwár", that he belongs to a family of special respectability, or that he represents the person by whose death the vacancy has occurred. In this way encouragement can be given to intelligent Mahomedans, Maráthás, and members of other castes.

6. When vacancies occur the procedure will be as follows :—

The Subordinate Judge in whose Court a vacancy of, say, Rs. 20 occurs, will examine the list Division B, and after due enquiry will make a recommendation. The next for promotion in this case is the senior man on Rs. 17. If this man is not qualified the Subordinate Judge should not recommend him; but if

he proposes to supersede him he should give the reasons in detail. The Subordinate Judge will then circulate his recommendation to all the other Subordinate Judges for their remarks. The papers will come last to the First Class Subordinate Judge, who will send them for disposal to the District Judge. If necessary, the District Judge will re-circulate them to the Subordinate Judge who made the original recommendation. Pending the decision the subordinates in the Court where the vacancy occurred will be allowed the benefit of the step according to seniority as a temporary arrangement. The vacancy of Rs. 17 thus created will be dealt with in a similar way, the last vacancy being filled up either from Division C or from the list of selected candidates. The appointment of Rs. 9 bailiffs will rest with the Subordinate Judge in whose Court the vacancy occurs. He will circulate his proposed nomination to the other Subordinate Judges, and will make the appointment after taking their suggestions into consideration. The result will be reported to the District Judge. When the papers regarding a promotion are being circulated each Subordinate Judge will give the members of his office an opportunity of bringing forward their claims. When an appointment has been sanctioned it will be communicated to all the Courts in order that the lists may be kept corrected up to date. This rule does not apply to the appointment of peons and menials, who will be appointed as heretofore.

7. The examination for promotion to Division A under Rule 4 will be held at the Annual Judicial Conference; the subjects for examination will be,

Civil Procedure Code.
Court Fees' Act.
General Stamp Act.
Limitation Act.
Registration Act, parts 3 and 10.
Dekkhan Agriculturists' Relief Act.
High Court Circulars (Civil).

There will be two papers of questions. First paper without books, the first five parts of the Civil Procedure Code, and in other subjects on those parts of the law which are included in the current duties of a Court subordinate. Second paper with books, to test the candidate's power of dealing with more difficult points. For each paper 100 marks will be assigned; 50 marks will be assigned for reading and writing. The candidate must obtain not less than 40 per cent of the total marks.

8. The competitive examination for bailiffs' places of Rs. 12 under Rule 4 will be held annually at the Judicial Conference. 100 marks will be awarded for reading and writing, 100 for answers on the Civil Procedure Code (Chapters 6—14 and 19 F. G. I.), 100 for physical fitness, and 100 for general qualifications and claims. So many of those who have the largest aggregate of marks will be selected as are necessary to fill the estimated number of vacancies during the coming year. Their names will be entered on the list of selected candidates referred to in Rule 3.

9. In order to maintain a record of continuous good service by subordinates, a limited number of good conduct marks, say 6 for each Court, will be distributed each year at the Judicial Conference. These will be given for exemplary behaviour, efficiency and industry; and they will accumulate opposite the names in the list, while they will be forfeited for misconduct.

10. Any of these rules will be relaxed by the District Judge for special reasons.

(Signed) W. WEDDERBURN,
District Judge.

(True Copy.)

W. WEDDERBURN,
District Judge.

JUDICIAL STATEMENT 1—(Civil and Criminal.)

Statement showing the number of Judicial Divisions, and the number of Officers exercising Appellate or Original Jurisdiction, in the Presidency of Bombay, on the last day of the year 1881, with the cost of Tribunals.

Name of Presidency.			Area.	Population.	Number of Divisions for Courts under Chief Court, but superior to Chief Courts of Districts.	Number of Districts.	Number of Sub-districts.	Total number of Officers exercising Original or Appellate Jurisdiction.					Total number of Cases decided.				Total Receipts of the Courts.	Total Charges of the Courts.	Remarks.
								Judges of Chief Court of Province.	Judges of other Courts superior to Chief District Courts.	Judges of Chief Courts of Districts.	Judges of District Courts other than Chief Courts.	Judges of other Subordinate Courts.	Original.		Appeals.				
													Regular.	Miscellaneous.	Regular.	Miscellaneous.			
1			2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
																	Rs.	Rs.	
Presidency of Bombay.	Territory subject to the High Court.	Civil ...	74,902	13,691,181	...	11	101	7	...	11	8	107(a)	122,738	14,046	3,764	294	16,43,092	20,39,659	(a) These are Subordinate Judges inclusive of 3 Small Cause Court Judges and 2 Registrars.
		Criminal ...			...	17	148	...	...	17(b)	...	447(c)	48,581	..	2,382	...	2,15,169	7,69,059	(b) These are District Magistrates exclusive of Sessions and Assistant Sessions Judges.
		Revenue ...			...	...	...	...	...	...	...	...	134	1,534	182	763	2,425	7,951	(c) These include all classes of Magistrates except District Magistrates.
	Territory not subject to the High Court.	Civil ...	50,537	2,669,302	...	4	14	1(d)	...	4	1	16(e)	24,807	959	240	33	2,27,494	1,92,734	(d) Judge of the Sadar Court in Sind.
		Criminal ...			..	6	25	...	...	5(b)	...	138(c)	14,558	...	994	...	90,674	2,88,260	(e) Include 1 Small Cause Court Judge and a Registrar.
		Revenue ...			...	...	..	...	..	...	...	...	91	...	...	..	...	..	
	Total* ..		...	...	..	...	.	...	..	...	..	...	210,909	16,539	7,562	1,090	21,78,854	32,97,663	

* The entries to be made here will show the area and population of the entire Province, the average number of Districts and Sub-districts for Civil, Criminal and Revenue purposes, the actual number of persons exercising jurisdiction, and the total work done by them, with the financial results.

Statement showing the number of Judicial Officers exercising Original and Appellate Jurisdiction, both European and Native, in the Presidency of Bombay including Sind and Panch Mahals.

Designation.	Europeans.	Natives.
High Court Judges	8(a)	...
District Judges	14	1
Joint Judges	3	...
Assistant Judges	6	...
Small Cause Court Judges	1	3
Subordinate Judges, First Class	1(b)	10
Subordinate Judges, Second Class	...	105
Magistrates, First Class	78(c)	43
Magistrates, Second Class	4	222
Magistrates, Third Class	3	257

Remarks.

(a) Includes Chief Justice and Sadar Court Judge. During a part of the year a Native gentleman acted as Judge of the High Court.

(b) Is an East Indian.

(c) Three were Eurasians and one Indo-Briton.

Her Majesty's High Court of Judicature, Appellate Side, Bombay, 1st August 1882.

MAHADEV P. BARVE,
Acting Assistant Registrar.

JUDICIAL STATEMENT 2—(Criminal).

Statement of Offences reported and of Persons tried, convicted and acquitted of each Class of Offence in the Presidency of Bombay in the year 1881.

Description of Offence.	Number of Offences reported.	Number of Cases returned as true.	Number of Cases brought to trial during the year.	Number of Persons. Under trial during the year including pending from previous year*	Acquitted or discharged.	Convicted.	Died, escaped or transferred to another Province.†	Remaining under trial.
1	2	3	4	5	6	7	8	9
Offences against the State, Chapter VI. of the Indian Penal Code	...	...	...	...	...	...	...	...
Do. relating to the Army and Navy... Chap. VII.	1	1	1	2	2	...	...	...
Do. against the public tranquillity ... „ VIII.	385	314	275	2,176	1,143	879	21	133
Do. by or relating to public servants.. „ IX.	114	93	91	138	93	42	...	3
Contempts of the lawful authority of public servants... ... ... „ X.	859	851	839	1,337	554	768	2	13
False evidence and offences against public justice ... ... „ XI.	877	793	800	1,115	448	604	18	45
Offences relating to coin and Government stamps ... ... „ XII.	140	104	96	125	51	67	4	3
Do. relating to weights and measures. „ XIII.	192	177	175	216	64	152	...	...
Do. affecting the public health, safety, convenience, decency, and morals ... ... „ XIV.	1,033	941	924	1,472	291	1,181	...	...
Do. relating to religion ... ... „ XV.	21	15	12	19	15	4	...	...
Offences affecting the human body, Chapter XVI. — Offences affecting life	631	481	634	1,022	445	413	127	37
Causing of miscarriage; injuries to unborn children; exposure of infants, and the concealment of births	169	110	168	249	125	94	22	8
Hurt	21,019	14,762	13,867	30,955	21,463	9,033	41	418
Wrongful restraint and wrongful confinement	512	263	242	509	376	115	6	12
Criminal force and assault	4,433	2,993	2,731	5,593	4,414	1,162	2	15
Kidnapping, forcible abduction, slavery and forced labour ...	230	93	88	196	117	57	9	13
Rape	159	74	99	119	70	34	9	6
Unnatural offence	32	19	20	26	18	5	1	2
Offences against property, Chap. XVII. — Theft	19,513	11,936	9,267	14,511	5,552	8,638	63	258
Extortion	116	73	61	135	98	33	1	3
Robbery and dacoity...	744	388	416	1,326	599	483	159	85
Criminal misappropriation of property	864	715	649	1,024	518	477	3	26
Criminal breach of trust	1,542	661	569	695	435	235	5	20
Receiving of stolen property ...	1,342	1,185	1,109	2,052	989	1,009	9	45
Cheating	543	348	312	519	369	134	2	14
Fraudulent deeds and disposition of property	23	14	16	35	24	10	...	1
Mischief	3,678	2,524	2,355	5,382	4,080	1,221	23	58
Criminal trespass	4,912	3,404	2,554	4,882	2,949	1,835	16	82
Offences relating to documents and to trade or property-marks ... ... Chap. XVIII.	108	68	99	169	104	31	16	18
Criminal breach of contracts of service ... „ XIX.	30	16	16	30	19	9	...	2
Offences relating to marriage ... ... „ XX.	941	559	545	1,130	899	154	22	55
Defamation ... ... „ XXI.	129	87	85	157	111	46	...	...
Criminal intimidation, insult and annoyance ... ... „ XXII	3,244	2,594	2,513	4,897	3,706	1,140	2	49
Offences under special and local laws	22,026	21,328	21,077	26,897	5,730	20,965	8	194
Total ...	90,562	67,984	62,705	...	...	...	...	...

* That is the total of Columns 5 to 9.
† Persons transferred from one Court to another *in the same Province* are not to be entered in this column.

Her Majesty's High Court of Judicature, Appellate Side, Bombay, 1st August 1882.

MAHADEV P. BARVE,
Acting Assistant Registrar.

JUDICIAL STATEMENT 3—(CRIMINAL.)

Statement of Miscellaneous Proceedings under the Criminal Procedure Code in the Presidency of Bombay during 1881.

Nature of Proceedings.	Total number of cases before the Courts during the year	Number of persons concerned	Number of persons discharged.	Number of persons convicted or bound by an order to give security.	Remarks
1	2	3	4	5	6
1. Frivolous or vexatious complaints summarily dealt with under Chapter XVI, Section 209	166	223	119	104	
2. Proceedings against witnesses under Chapter XXVI	35	44	5	39	
3 Forfeiture of bail or recognizance under Chapter XXVIII	212	281	27	254	
4 Non-attendance of Jurors or Assessors, Chapter XXIX, Section 414	7	7	2	5	
5 Contempts of Court under Chapter XXXII	37	38	5	33	
6. Proceedings under Chapter XXXVII to prevent breach of the peace	82	363	68	295	
7 Security for good behaviour under Chapter XXXVIII	394	493	129	356	8 pending
8. Proceedings against local nuisances, Chapter XXXIX	97	132	16	116	
9. Possession, Chapter XL	19	33	13	20	
10 Maintenance, Chapter XLI...	424	423	314	109	
Total ...	1,473	2,037	698	1,331	8 pending.

MAHADEV P. BARVE,
Acting Assistant Registrar.

H. M.'s High Court of Judicature, Appellate Side,
Bombay 1st August 1882.

JUDICIAL STATEMENT 4—(CRIMINAL.)

Statement showing the general result of Criminal trials in the Tribunals of various Classes in the Presidency of Bombay in the year 1881.

Class of Courts.	Total number of persons under trial.‡	Persons whose cases were disposed of.					Persons remaining under trial at the end of the year.	Number of cases disposed of during the year ‖	Average number of days during which each case lasted.	Number of witnesses examined.	Remarks.
		Died, escaped, or transferred to another Province.	Discharged or acquitted.	Convicted. On regular trial.	Convicted. On summary trial.	Committed or referred.					
1	2	3	4	5	6	7	8	9	10	11	12
Village Officers	3,178	1	949	1,821	398	...	9	2,233	·99	3,700	
Subordinate Magistrates—											
Special Magistrates under Section 42 ...	28	...	7	21	...	...	...	27	1·69	93	
Honorary Magistrates sitting singly ...	2,868	...	616	2,242	2	7	1	2,444	·89	3,444	
Stipendiary Magistrates sitting singly ...	101,408	60	52,860	37,157	6,638	3,246	1,447	56,146	6·3	204,560	
Benches of Magistrates	...	...	...	...	...	...	...	...	...	...	
District and Divisional Magistrates—Cases referred under Section 46 C. P. C.	1,839	6	340	1,417	...	23	53	1,087	4·8	7,461	
Chief Magistrates of Districts	417	1	167	143	56	39	11	229	9·9	1,237	
Courts of Sessions*	1,841	8	718	935	...	93	87	869	19·8	6,706	
Superior Courts†	152	...	24	120	...	...	8	104	21·7	234	
Total ...	111,731	76	55,681	43,856	7,094	3,408	1,616	63,139	6·09	227,435	
Deduct—the number of persons committed or referred to other Courts	3,408										
Actual number of persons under trial ...	108,323										

* Includes cases decided by Sessions Judges on reference under Sections 18 and 36, Criminal Procedure Code. † Includes cases decided by the High Court on reference under Sections 263 and 287, Criminal Procedure Code.

‡ That is the total of the entries in Columns 3 to 8. The cases of persons transferred from one Court to another in the same Province will appear only against the court by which decided, or in which pending at the end of the year, if not decided.

‖ Omit cases in which the accused died, escaped or was transferred.

H. M.'s High Court of Judicature, Appellate Side, Bombay, 1st August 1882.

MAHADEV P. BARVE,
Acting Assistant Registrar.

JUDICIAL STATEMENT 5—(Criminal)

Statement showing the punishments inflicted by the various Criminal Tribunals in the Presidency of Bombay in the year 1881.

Class of Tribunal.	Persons sentenced to: Death	Transportation	Penal servitude	Imprisonment: Rigorous	Imprisonment: Simple	Forfeiture of property	Fine	Whipping	Persons ordered to find or give security or recognizance to keep the peace, or sureties for good behaviour	Persons imprisoned in default of security for good behaviour.	Detail of punishment. Fine: Rs 10 and under	Rs 50 and under	Rs 100 and under	Rs 500 and under.	Rs 1,000 and under.	Above Rs 1,000.	Total amount of fines imposed during the year	Total amount of fines realised during the year ‡	Amount paid by way of compensation	Imprisonment: 15 days and under	6 months and under	2 years and under.	7 years and under	Above 7 years	Whipped: 10 stripes and under	20 stripes and under	30 stripes and under	30 stripes and upwards.	Number of boys who were sentenced were committed to detention in a Reformatory School
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
											Rs.	Rs	Rs	Rs.	Rs	Rs	Rs.	Rs.											
Village Officers	..			..	402		1,820		..	..	1,820	.	..		..	.	1,079	1,087	..	402		.	.			..		7.	. ..
Subordinate Magistrates: Special Magistrates under Section 42	.	..		4	.	..	17		2	1	17		.		..	..	67	62	5	1	3	1	..	.		..	.	..	. .
Subordinate Magistrates: Honorary Magistrates sitting singly	..		..	58	2		2,189	..	. .	..	2,130	57	1	2	..		4,103	3,498	89	3	51	6				..		..	....
Subordinate Magistrates: Stipendiary Magistrates sitting singly	..			10,928	710		33,697	907	627	221	28,381	4,946	348	126	6	.	2,83,906	2,45,541	14,368	3,061	7,751	828	5	..	181	222	407	101	81
Subordinate Magistrates: Benches of Magistrates	..		..	.		..	..		....		..	..	..		.	..	....	..	..	.			..	..		..	.	..	....
District and Divisional Magistrates, Cases referred under Section 46, Criminal Procedure Code	..	.		1,355	7	.	413	133	.	2	30	247	109	27	..	..	28,734	10,606	1,140	8	189	1,163	2	.	4	7	28	94	3
Chief Magistrates of Districts	.		..	95	9	.	115	1	8	5	71	19	15	10		.	3,556	2,532	35	2	55	47	..	..		1		1	1
Courts of Sessions*		126	.	743	18	1	126	21		..	11	39	38	30	8		14,818	6,389	920	14	133	245	344	26	2	1	7	11	1
Superior Courts†	47	48	.	17	..	.	1	..	....	.	..	1	.		.	1	1,050	50	..	..	4	9	12		.	.			..
Total	47	174	..	13,200	1,148	1	38,378	1,062	637	229	32,460	5,309	511	195	14	1	3,37,313	2,69,759	16,557	3,491	8,186	2,298	363	26	157	228	442	203	36

* Includes cases decided by Sessions Judges on reference under Sections 18 and 36 Criminal Procedure Code. † Includes cases decided by the High Court on reference under Sections 263 and 287 Criminal Procedure Code.
‡ Includes fines realized during the year, though imposed in previous years.

Her Majesty's High Court of Judicature,
Appellate Side,
Bombay, 1st August 1882.

MAHADEV P. BARVE,
Acting Assistant Registrar.

JUDICIAL STATEMENT 6—(CRIMINAL).

Statement showing the result of Appeal and Revision in Criminal Cases in the Presidency of Bombay in the year 1881.

Tribunals	Number of Persons.											Average number of days during which each appeal lasted.	Remarks
	Total number of appellants and applicants for revision before the Courts †	Died escaped, transferred to another Province	Appeals or applications rejected.	Sentence or order confirmed.	Sentence enhanced.	Sentence reduced or otherwise altered.	Sentence reversed.	Proceedings quashed.	New trial or further enquiry ordered.	Referred for revision to the High Court.	Pending trial.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Appeals.													
To Chief Magistrates of Districts* ...	1,842	7	95	910	61	203	512	18	5	...	31	6·17	
„ Courts of Sessions	1,141	12	394	416	18	93	180	3	7	..	18	14·22	
„ Superior Courts — by persons convicted ..	469	1	121	150	7	108	39	...	...	...	43	17·5	
„ Superior Courts — by Government from Judgments of acquittal ...	12	...	4	2	...	4	...	..	1	...	1	...	
Total ...	3,464	20	614	1,478	86	408	731	21	13	...	93	12·63	
Revision.													
By Chief Magistrates of Districts ..	110	...	53	39	...	...	8	1	7	1	1	2·06	
„ Courts of Sessions	269	...	68	175	...	1	1	1	8	13	2	14 58	
„ Superior Courts	1,522	...	104	755	113	195	213	16	51	...	75	18 7	
Total ...	1,901		225	969	113	196	222	18	66	14	78	11 78	
Grand Total ..	5,365	20	839	2,447	199	604	953	39	79	14	171	12·20	

* Or other Magistrates authorized to hear appeals under Section 266 Criminal Procedure Code

† That is the total of columns 3 to 12 Cases transferred from one Court to another in the same Province will appear only against the Court by which decided, or in which pending at the end of the year, if not decided.

Her Majesty's High Court of Judicature, Appellate Side, Bombay, 1st August 1882.

MAHADEV P. BARVE,
Acting Assistant Registrar.

JUDICIAL STATEMENT 7—(CIVIL).

Statement showing the number and description of Civil Suits instituted in the Civil Courts in the Presidency of Bombay in the year 1881.

Class of Tribunals	Suits for money or moveable property: Contract in writing	Contract not in writing	On account stated	Money had and received	Goods sold	Wages, work and materials	Breach of contract not mentioned above	Rent of houses and property other than land	Moveable property or value thereof	Damages	Title and other suits: Arrears of rent with or without ejectment or cancelment of lease	Enhancement or abatement of rent	Relating to distraint	Damages for extortion or withholding receipts or on account of illegal restraint or other cause	For Pottahs or Kabuliyats	For recovery of possession or removal of obstruction under Bombay Act III of 1876	Suits for immoveable property	Suits for declaratory decrees	Other suits under the Specific Relief Act	Suits to declare and establish rights to real property, including pre-emption, foreclosure, &c	Suits to declare and establish personal rights	Suits for an account	Suits relating to religious endowments	Suits to set aside judgments, contracts or obligations on the ground of fraud	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights	Suits for partition	Suits relating to shipping	Suits relating to religion and caste.	Administration suits	Inter pleader suits	Dissolution of partnership.	Suits under Section 281, Act X of 1865 (also Hindu Wills' Act.)	Other suits not falling under any of the previous heads	Grand Total	Remarks
	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	
COURTS IN THE INTERIOR.																																				
I CIVIL COURTS																																				
Unpaid Tribunals ..																																				
Village Courts ..	416	19	116	..	1	2	1	15	..	4	..	..	..	..	4	..	11	..	..	1	..	2	..	..	..	..	..	..	..	..	..	..	..	..	(a) 2,757	(a) No details given as these were not instituted under the Dekkhan Agriculturists' Relief Act in the Districts of Poona, Sholápur, Ahmednagar and Sátára.
Paid Sub-Divisional Tribunals	76,445	4,712	16,818	1,111	3,013	253	593	1,377	983	432	3,269	7	5	32	457	7,426	7,931	229	131	1,693	68	1,011	10	29	4	120	280	2	2	7		22	4	304	128,831	
Small Cause Courts	7,807	818	2,717	671	3,008	156	49	530	62	74	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	..	15,893	
District Courts other than Chief Courts of Districts / Chief Courts of Districts	22	2	4	21	9	2	2	2	5	8	..	1	1	3	..	..	26	2	1	12	24	19	..	..	4	11	4			..	..	10		11	206	
Total	84,690	5,551	19,655	1,803	6,031	413	645	1,924	1,053	568	3,269	8	7	35	461	7,426	7,968	231	132	1,706	92	1,032	10	29	8	131	284	3	2	7		32	4	315	148,282 (b)	(b) The total of columns 2 to 37 does not agree with column 38, the difference being 2,757, details of which have not been given as stated above.
II. REVENUE COURTS																																				
Unpaid Local Tribunals	..		..	..				..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..		..	..	..	..	..	..	..	..	
Other Subordinate Courts ..	5	15	..	..	..		..		..	..	140	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1,466	1,626	
District Courts ..			..	..	..		..	..		..		..		..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	360	360	
Total ..	5	15	..	..			..	..	..	..	140	..	..	..	..	..	..	..	..	..	..	..		..		..	..	..	..	..		..		1,826	1,986	
COURTS AT THE PRESIDENCY OR SEAT OF GOVERNMENT																																				
Presidency Small Cause Courts	..	..	..	..			..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Superior Courts ..	93	5	88	49	26	15	..	4	38	14	..	..	..	..	..	..	19	5	14	36	11	31	..	3	8	2	7	..	..	23	1	11	5	33	542	
Total ..	93	5	88	49	26	15	..	4	38	14	..	..	..	..	..	..	19	5	14	36	11	31	..	3	8	2	7	..	..	23	1	11	5	33	542	
GRAND TOTAL ..	84,788	5,571	19,743	1,852	6,057	428	645	1,928	1,091	582	3,409	8	7	35	461	7,426	7,987	236	146	1,742	103	1,063	10	32	16	133	291	5	2	30	1	43	9	2,174	160,510	

Her Majesty's High Court of Judicature, Appellate Side, Bombay, 1st August 1882.

MAHADEV P. BARVE,
Acting Assistant Registrar.

JUDICIAL STATEMENT 8—(CIVIL).

Statement showing number and value of suits instituted in the Civil and Revenue Courts in the Presidency of Bombay in the year 1881.

Value of Suits.	Number of Suits instituted in the different Courts.										
	Not exceeding Rs. 10.	Not exceeding Rs. 50	Not exceeding Rs. 100.	Not exceeding Rs. 500	Not exceeding Rs. 1,000	Not exceeding Rs. 5,000.	Not exceeding Rs. 10,000.	Exceeding Rs. 10,000.	Number of Suits the value of which cannot be estimated in money.	Total value of Suits.	REMARKS.
1	2	3	4	5	6	7	8	9	10	11	12
COURTS IN THE INTERIOR.										Rs.	
I.—Civil Courts.											
Unpaid Tribunals	66	330	126	68	4	1	...	...	...	35,778	
Village Courts	2,757	...	...	...	...	...	...	...	.	.. .	
Paid Sub-Divisional Tribunals	13,932	60,738	23,542	19,890	1,741	836	48	45	8,059	1,18,64,624	
Small Cause Courts	3,267	7,643	2,579	2,404	...	...	...	...	...	8,66,966	
District Courts other than Chief Courts of Districts / Chief Courts of Districts	8	11	17	36	29	29	5	7	64	2,88,140	
Total ...	20,030	68,722	26,264	22,398	1,774	866	53	52	8,123	1,30,55,508	
II.—Revenue Courts.											
Unpaid Local Tribunals	...	...	...	...	...	...	...	...	...	.....	
Other Subordinate Courts	800	475	45	13	3	2	...	...	288	22,241	
Collectors' Courts	.	...	..	.	...	.	...	...	360	... ..	
Total ...	800	475	45	13	3	2	...	...	648	22,241	
Courts at the Presidency or seat of Government.											
Presidency Small Cause Courts			...	...	...	...	...	...	...	.... .	
Superior Courts	...	...	...	3	17	249	57	58	158	29,94,029	
Total ..	...	..	..	3	17	249	57	58	158	29,94,029	
GRAND TOTAL ..	20,830	69,197	26,309	22,414	1,794	1,117	110	110	8,929	1,60,71,778	

Her Majesty's High Court of Judicature, Appellate Side, Bombay, 1st August 1882.

MAHADEV P. BARVE,
Acting Assistant Registrar.

JUDICIAL STATEMENT 9—(Civil).

Statement showing the general result of the trial of Civil and Revenue Cases in the Courts of Original Jurisdiction in the Presidency of Bombay in the Year 1881.

PART I.—CIVIL SUITS.

Class of Courts.	Total number of Suits before the Courts.*	Number of Suits disposed of: Transferred to Courts in other Provinces.	Without trial.	Without Contest: Compromised	Decreed on confession.	Decreed ex-parte.	Dismissed ex-parte.	On reference to Arbitration: For Plaintiff.	For Defendant.	With Contest: Judgment for Plaintiff in whole or in part.	Judgment for Defendant.	Pending at the close of the year.	Number of cases pending more than three months at the close of the year.	Average duration of Suits: Contested.	Uncontested.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Courts in the Interior.																
I.—Civil Courts.																
Unpaid Tribunals	1,023	...	23	103	93	341	8	...	...	47	15	393	281	400·7	118 1	No details in Columns 3 to 12 given of 2,934 suits disposed of by village officers under the Dekkhan Agriculturists' Relief Act.
Village Courts	3,175	..	..	..	...	...	...	...	...	...	..	241	.	..	...	
Paid Sub-Divisional Tribunals ...	153,036	...	13,475	22,396	11,781	45,944	2,364	965	106	24,454	5,272	26,279	9,329	161·5	75·4	
Small Cause Courts ...	18,509	...	1,182	3,477	2,411	6,245	234	23	3	2,086	448	2,100	455	72·7	42·6	
District Courts other than Chief Courts of Districts ... .. / Chief Courts of Districts	429	...	37	38	22	18	1	21	1	88	49	154	102	265·7	200·5	
Total	176,172	..	15,017	26,014	14,307	52,548	2,607	1,009	110	26,675	5,784	29,167	10,167	155·5	71·5	
II.—Revenue Courts.																
Unpaid Local Tribunals ..	...	...	...	...	...	...	..	...	...	..	...	...	..	..	...	
Other Subordinate Courts ...	252	...	36	62	57	9	3	...	...	51	7	27	5	2·6	3·1	
District Courts	...	...	...	...	..	.	.	...	...	...	...	...	...	.	..	
Total ...	252	...	36	62	57	9	3	..	...	51	7	27	5	2·6	3·1	
Courts at the Presidency or seat of Government.																
Presidency Small Cause Court ...	...	...	...	...	...	..	..	...	...	..	..	...	...	...	.	
Superior Courts	2,324	...	239	57	25	424	184	7	1	79	44	1,264	1,067	261·9	265 3	
Total ..	2,324	...	239	57	25	424	184	7	1	79	44	1,264	1,067	261·9	265·3	
Grand Total ...	178,748	...	15,292	26,133	14,389	52,981	2,794	1,016	111	26,805	5,835	30,458	11,239	155·6	72·8	

* That is the total of the entries in Columns 3 to 13. Cases transferred from one Court to another *in the same Province* will appear only against the Court by which decided, or in which pending at the close of the year, if not decided.

Her Majesty's High Court of Judicature, Appellate Side,
Bombay, 1st August 1882.

MAHADEV P. BARVE,
Acting Assistant Registrar.

JUDICIAL STATEMENT 9—(CIVIL.)

Statement showing the general result of the trial of Civil and Revenue Cases in the Courts of Original Jurisdiction in the Presidency of Bombay in the year 1881.

PART II.—MISCELLANEOUS CASES (JUDICIAL.)

Class of Courts.	Total number of cases before the Courts.*	Number of Cases disposed of.										Pending at the close of the year.	Number of cases pending more than three months at the close of the year.	Average duration of cases.		Remarks.
		Transferred to Courts in other Provinces.	Without trial.	Without Contest.				On reference to arbitration.		With Contest.						
				Compromised.	Decreed on confession.	Decreed ex-parte.	Dismissed ex-parte.	For plaintiff.	For defendant.	Judgment for plaintiff in whole or part.	Judgment for defendant.			Contested.	Uncontested.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
COURTS IN THE INTERIOR.																
I.—Civil Courts.																
Unpaid Tribunals...	13	...	2	...	...	3	...	...	...	4	1	3	3	54	45·3	
Village Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Paid Sub-Divisional Tribunals ...	12,661	...	1,792	493	564	1,398	431	8	1	3,785	1,903	2,286	640	94·4	61·6	
Small Cause Courts	2,424	...	141	24	79	1,747	154	...	...	113	66	100	32	67·9	11·3	
District Courts other than Chief Courts of Districts. Chief Courts of Districts... ...	2,862	...	184	64	9	1,163	116	...	...	432	328	566	296	149·3	119·9	
Total ...	17,960	...	2,119	581	652	4,311	701	8	1	4,334	2,298	2,955	971	99·9	57·9	
II.—Revenue Courts.																
Unpaid Local Tribunals	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Other Subordinate Courts ...	1,347	...	142	374	310	121	41	...	...	238	115	6	3	1·2	·68	
District Courts	360	...	...	...	...	...	...	...	...	...	3	167	167	·3	...	No details for 190 cases disposed by the Collector of Ratnágiri are given.
Total ...	1,707	...	142	374	310	121	41	...	...	238	118	173	170	1·2	·68	
COURTS AT THE PRESIDENCY OR SEAT OF GOVERNMENT																
Presidency Small Cause Court ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Superior Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Grand Total ...	19,667	...	2,261	955	962	4,432	742	8	1	4,572	2,416	3,128	1,141	94·9	51·07	

* That is the total of the entries in Columns 3 to 13. Cases transferred from one Court to another *in the same Province* will appear only against the Court by which decided, or in which pending at the close of the year, if not decided.

Her Majesty's High Court of Judicature,
Appellate Side, Bombay, 1st *August* 1882.

MAHADEV P. BARVE,
Acting Assistant Registrar.

JUDICIAL STATEMENT 10— (CIVIL).

Statement showing the business of the Civil and Revenue Appellate Courts of the Presidency of Bombay in the year 1881.

PART I.—APPEALS FROM DECREES.

Class of Courts.	Total number of appeals before the Court.*	Transferred to Courts in other Provinces.	Appeals summarily rejected.	Dismissed for default or otherwise not prosecuted.	Heard ex-parte.				Contested.				Pending.	Of these pending more than three months.	Average duration of Appeals.	Objection under Section 561, Act X. of 1877.
					Confirmed.	Modified.	Reversed.	Remanded.	Confirmed.	Modified.	Reversed	Remanded.				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
COURTS IN THE INTERIOR.																
APPEALS FROM ORIGINAL DECREES.																
A.—Civil Courts.																
Chief Appellate Courts other than Chief Courts of Districts. Chief Appellate Courts of Districts	6,463	...	159	296	97	35	33	28	1,727	405	436	155	3,092	2,346	313·4	115
Superior Appellate Courts other than Chief Court of Province.	.....	..	—	.....	...	..	...	...	...	...	..	...	...	...	...	...
Total ...	6,463	...	159	296	97	35	33	28	1,727	405	436	155	3,092	2,346	313·4	115
B.—Revenue Courts.																
Collectors' Appellate Courts	185	...	...	.....	33	...	...	...	105	12	32	...	3	3	146·7	...
COURTS AT THE PRESIDENCY OR SEAT OF GOVERNMENT.																
Chief Court of Province. Appeals from Original decrees.	222	...	13	7	1	1	...	1	48	10	10	3	128	93	244·77	6
Chief Court of Province. Appeals from Appellate decrees.	995	...	176	15	9	2	2	1	247	24	31	32	456	316	184·7	11
Total ...	1,217	...	189	22	10	3	2	2	295	34	41	35	584	409	193·62	17
GRAND TOTAL ...	7,865	...	348	318	140	38	35	30	2,127	451	509	190	3,679	2,758	288·04	132

* That is the total of the entries in Columns 3 to 14. Appeals transferred from one Court to another in *the same Province* will appear only against the Court by which decided, or in which pending at the close of the year, if not decided.

Her Majesty's High Court of Judicature,
Appellate Side, Bombay, 1st August 1882.

MAHADEV P. BARVE,
Acting Assistant Registrar.

JUDICIAL STATEMENT 10—(CIVIL.)

Statement showing the business of the Civil and Revenue Appellate Courts of the Presidency of Bombay in the year 1881.

PART II.—MISCELLANEOUS APPEALS (JUDICIAL.)

Class of Courts.	Total number of Appeals before the Court.*	Transferred to Courts in other Provinces.	Appeals summarily rejected.	Dismissed for default or otherwise not prosecuted.	Heard ex-parte.				Contested				Pending.	Of these pending more than three months.	Average duration of Appeals.	Objection under Section 561, Act X. of 1877.
					Confirmed.	Modified.	Reversed.	Remanded.	Confirmed.	Modified.	Reversed.	Remanded.				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
COURTS IN THE INTERIOR.																
APPEALS FROM ORIGINAL DECREES.																
A.—Civil Courts.																
Chief Appellate Courts other than Chief Courts of Districts. / Chief Appellate Courts of Districts ...	361	...	54	49	12	4	7	7	82	10	51	13	72	50	273·6	1
Superior Appellate Courts other than Chief Courts of Province.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total ...	361	...	54	49	12	4	7	7	82	10	51	13	72	50	273·6	1
B.—Revenue Courts																
Collectors' Appellate Courts	763	...	...	65	3	...	...	...	394	132	169	...	...	213	205·2	...
COURTS AT THE PRESIDENCY OR SEAT OF GOVERNMENT.																
Chief Court of Province. — Appeals from Original decrees.	63	...	3	4	2	...	2	2	14	1	3	2	30	23	206·5	2
Chief Court of Province. — Appeals from Appellate decrees.	5	..	...	1	...	...	...	...	3	...	1	...	...	.	312·4	—
Total ...	68	...	3	5	2	...	2	2	17	1	4	2	30	23	220·4	2
GRAND TOTAL .	1,192	...	57	119	17	4	9	9	493	143	224	15	102	286	223·8	3

* That is the total of the entries in Columns 3 to 14. Appeals transferred from one Court to another *in the same Province* will appear only against the Court by which decided, or in which pending at the close of the year, if not decided.

Her Majesty's High Court of Judicature, Appellate Side, Bombay, 1st August 1882.

MAHADEV P. BARVE,
Acting Assistant Registrar.

JUDICIAL STATEMENT 11—(Civil).

Statement showing the Result of Proceedings on Applications for the Execution of the Decrees of the Civil and Revenue Courts in the Presidency of Bombay in the year 1881.

Class of Courts	Total number of applications for the execution of Decrees before the Courts.*	Applications disposed of: By transfer.	Satisfaction obtained in full.	Satisfaction obtained in part.	Wholly infructuous.	Pending at the end of the year.	Number of applications pending more than three months at the close of the year.	Amount realized: With the issue of Process.	Without the issue of Process.	Number of applications: On which the Judgment debtor was imprisoned.	On which he was arrested but released without imprisonment.	On which Moveable Property: Was sold.	Was attached but subsequently released.	On which Immoveable Property: Was sold.	Was dealt with under Section 320 or Act X of 1877.	Was attached but subsequently released under Sec. 276.	On which possession was given: Of Moveables.	Of Immoveables.	On which specific performance was enforced.	On which partition was effected.	On which execution was effected otherwise than the preceding columns.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
Courts in the Interior.								Rs	Rs.													
I.—Civil Courts.																						
Unpaid Tribunals	1,066	..	87	76	645	318	147	3,259	15	22	..	14	15	16	1	6	..	2	..	..	58	No details given for 1,465 applications disposed of by Village Officers under the Dekhan Agriculturists' Relief Act.
Village Courts	1,598	..				138		...											..	..		
Paid Sub-divisional Tribunals	222,866	..	23,772	38,496	113,669	46,929	13,584	19,24,820	1,52,978	1,469	3,485	2,683	4,513	6,527	799	4,620	46	2,571	33	115	20,787	
Small Cause Courts	31,170	..	2,651	5,864	15,680	6,975	3,663	1,11,714	36,235	224	912	289	700				2		..			
District Courts other than Chief Courts of Districts	409	..	93	68	140	108	66	23,550	10,066	5	5	1	2	7	..	6	1	7	..	..	136	(a) The word "infructuous" in this column has been treated as meaning *pecuniarily* infructuous, for as a matter of fact in the majority of these cases the warrants have been actually executed wholly or in part though no money, owing to the nature of the warrants, was levied under them. As to the remainder it constantly happens that warrants remain in the hands of the Sheriff unexecuted simply because no application is made to him for execution.
Chief Courts of Districts	....	..	..	..	..	..	..	....	..	..	..	..	..	..	..		..	..	..	..	..	
Superior Courts																						
Total	257,109	..	26,543	44,504	130,134	54,463	17,460	20,68,343	1,99,294	1,720	4,402	2,987	5,280	6,550	796	4,632	49	2,580	33	115	20,982	
II.—Revenue Courts.																						(b) There are besides these 64 time-expired writs remaining unexecuted at the request of the parties.
Unpaid Local Tribunals	....							....														
Other Subordinate Courts	49		24	..	21	4	4	346	130	..		27	10		..				..	..	6	(c) This includes Rs. 56,962-3-6 for which warrants were issued. These warrants have been satisfied but no information has been given of the exact amounts paid under them.
District Courts	....			..	..		..	....					..	..	..					..		
Total		..	24	..	21	4	4	346	130	..	..	27	10		..	..			..		6	
Courts at the Presidency or Seat of Government.																						
Presidency Small Cause Courts	....	..		..	..			....		..	..	..	..	..	..				..	..		
Superior Courts	215	..	23	10	(a) 126	(b) 56	40	(c) 1,25,195	1,05,463	18	8	6	7	5	..	1		12	..	..	38	
Total	215	..	23	10	126	56	40	125,195	1,05,463	18	8	6	7	5		1		12		..	38	
Grand Total	257,373	..	26,590	44,514	130,281	54,523	17,504	21,93,884	3,04,887	1,738	4,410	3,020	5,247	6,555	796	4,633	49	2,592	33	115	21,025	

* That is the total of the entries in Columns 3 to 7

Her Majesty's High Court of Judicature, Appellate Side, Bombay, 1st August 1882.

MAHADEV P. BARVE,
Acting Assistant Registrar.

JUDICIAL STATEMENT 12—(Civil).

Statement showing the number and result of Applications and proceedings under Chapter XX. Civil Procedure Code in the Presidency of Bombay in the year 1881.

Class of Courts.	Applications for a declaration of Insolvency.								Number of insolvents discharged during the year under Section 355.	Number of insolvents' estates in the hands of Receivers in which proceedings were finally closed during the year.	Amount of creditors' claims dealt with during the year.		Gross amount of insolvents' assets realized and disbursed.		Remarks.
	Total number for hearing.†	Transferred to another Province, withdrawn, &c.	Granted.		Rejected.										
			A Receiver being appointed.	A Receiver not being appointed.	Penal proceedings under Section 359 not being taken.	Sentence of imprisonment being passed under Section 359.	Applicant being sent to the Magistrate to be dealt with.	Pending at the close of the year.			Admitted.	Satisfied.	Realized during the year.	Disbursed during the year.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Courts other than Chief Courts of Districts* ...	462	61	21	81	164	4	1	130	71	44	23,722	721	3,031	1,537	
Chief Courts of Districts ...	3	...	...	1	1	...	...	1	...	...	468	268	...	...	
Superior Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total ...	465	61	21	82	165	4	1	131	71	44	24,190	989	3,031	1,537	

* Specially empowered under Section 360, Act X of 1877.

† That is the total of the entries in Columns 3 to 9. Cases transferred from one Court to another *in the same Province* will appear only against the Court by which decided, or in which pending at the close of the year, if not decided.

Her Majesty's High Court of Judicature, Appellate Side,
Bombay, 1st August 1882.

MAHADEV P. BARVE,
Acting Assistant Registrar.

JUDICIAL STATEMENT 13—(Civil and Criminal.)

Statement showing use of Juries and Assessors in the Civil and Criminal Courts in the Presidency of Bombay in the year 1881.

Class of Courts in which Jurors or Assessors are employed, distinguishing Criminal from Civil Courts.	Established or average number of Jury or Assessors in each case and prescribed qualifications.	Number of Cases tried by Jury.	Number of Cases tried with Assessors.	Jury Trials: Cases in which the Judge approved of the verdict.	Jury Trials: Cases in which the Judge did not approve of the verdict: Wholly.	Jury Trials: Cases in which the Judge did not approve of the verdict: Partially.	Jury Trials: Number of persons, of the verdict in respect to whom the Judge disapproved: Whose cases he referred under Sec. 266, Criminal Procedure Code.	Jury Trials: Number of persons, of the verdict in respect to whom the Judge disapproved: Whose cases he did not refer under Sec. 266, Criminal Procedure Code.	Assessors' Trials: Number of Cases in which Judge agreed with Assessors.	Assessors' Trials: Number of Cases in which Judge differed from: One Assessor.	Assessors' Trials: Number of Cases in which Judge differed from: Both Assessors.	Remarks.*
1	2	3	4	5	6	7	8	9	10	11	12	13
I.—Civil Courts.												
Chief Courts of Districts (or Officer especially empowered) acting under Act X. of 1870 ... ... — Assessors	2	...	3	...	...	...	...	...	2	1	...	
Pársi District Matrimonial Court ... — Under Act XV. of 1865. — Delegates.	7	(4)	...	...	...	...	...	...	...	...	...	
Pársi Chief Matrimonial Court ... — Under Act XV. of 1865. — Delegates.	11	(1)	...	...	...	...	...	...	...	...	...	
II.—Criminal Courts.												
Magistrates' Courts under Chapter XXXIX., Criminal Procedure Code ... ... — Jurors	5	30	...	30	...	...	...	...	...	...	...	
Courts of Session ... ... — Jurors	5	48	...	42	3	3	13	...	...	...	...	All cases falling under Chapters VIII, XI, XII, XVI, XVII and XVIII, or any of the said Chapters taken in connection with Section 75 of Indian Penal Code punishment awardable is death, transportation for life, or transportation or imprisonment for ten years or upwards, and also attempts and abetments to commit any of the above said offences were tried by Jury in the Poona District.
Courts of Session ... ... — Assessors	2	...	682	...	...	...	...	...	467	62	136	Assessors are employed in all cases committed for trial to the Sessions Courts except in the District of Poona.
High Court, Original Criminal Jurisdiction ... ... — Jurors.... ...	9	27	...	26	1	...	...	...	...	...	...	
Total ...	...	(a) 105	685	98	4	3	13	...	469	63	136	(a) This does not include 5 Pársi Matrimonial cases tried with the aid of Delegates.

* Note in what class of cases Juries and Assessors have been principally employed.

MAHADEV P. BARVE,
Acting Assistant Registrar.

Her Majesty's High Court of Judicature, Appellate Side,
Bombay, 1st August 1882.